

City Council Regular Meeting Transcript – 3/12/2020

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[10:15:13 AM]

>> Mayor Adler: All right, colleagues. Are we all set, ready to go? Before we begin the meeting, I wanted to note that councilmember -- let's begin with the -- our moment. Here at city council we start or before we begin our meeting to start with a peaceful moment by inviting different people from different walks of life, different faiths to show their prayers or moment of reflection. It's an important way we celebrate the diversity that exists in our city and begin our meeting with everybody focused and aligned for the greater good. Today we have with us Imam Islam mossaad.

[10:16:14 AM]

Sir, thank you for coming. >> Good morning. And with the greetings of peace, security, safety and well-being, especially in the time of elbow bumps and troubling tweets, I greet you with the greetings of Salam. I begin with a recitation from the holy Koran which is recited for protection, chapter 2, verse 255. [Speaking in foreign language]

[10:18:26 AM]

>> O living one, eternal who does not sleep or tire, owner of all that is in the heavens and the Earth, none can harm or benefit except by your will. Your knowledge encompasses all matters. We can only know what you permit us to know. Your dominion extends over the heavens and Earth. You tire not from protecting the universe and all its inhabitants, so merciful lord, protect our city from disease and distress, guide our city leaders to right decisions and effective execution. Bring our city together in

peace, prosperity and harmony and make us a luminous beacon for all in our nation and in the world. We thank you, lord of east and west for all your innumerable blessings. May the peace and blessings

[10:19:26 AM]

of god be upon all of his prophets and messengers and the righteous until the last day. Thank you. >> Mayor Adler: Thank you. We'll call this meeting to order. Today is Thursday, March 12, 2020. We are in the city council chambers here at 301 west second street. It is 10:18. We have a quorum present. Not with us today is councilmember harper-madison. She is watching from home. She's just getting over the flu and has been advised by her doctor to take prudent steps to protect herself and others by practicing a little social distancing. Councilmember harper-madison would ask everybody else who has a compromised immune system, otherwise more susceptible to the coronavirus or other health risks also take prudent and responsible steps to keep our entire community safe

[10:20:28 AM]

and healthy. She also wanted to thank people on this dais and everyone else in the community who came to two different events this past weekend that honored the lives of two important and recently departed east Austin figures. Charles miles, civil rights trail blazer, champion for affordable housing, and Brendan foster, known as chameleon king, beloved artist and musician. Both of them will surely be missed. All right, colleagues, we have on changes and corrections today, noting that item number 4 has been withdrawn. Number 9 has been withdrawn. 11 has been postponed until March 26. Item number 23 withdrawn and

[10:21:29 AM]

replaced by addendum item 76. Item number 46 has been withdrawn. Item 59 the the owner applicant is the Rio grande street partners, lp, Diane Zuniga the agent, Jackson walker, Pam Madere agent. Item 75 has been postponed to March 26. Item 80 postponed to March 26. Items 81 and 82 being postponed to March 28. Is that right? Yes. Saturday, the 28th. The Austin housing finance corporation board of directors meeting today has been canceled. So we will not convene for that. We have two items that have

[10:22:31 AM]

been pulled by mayor pro tem Garza, items 24 and 35 have been pulled. I think they are being pulled with a request to postpone. If there's not an objection we'll postpone them on consent. Those were the bus pass issues so a little more work can be done on that. So those items, 24 and 35, then are -- being postponed until March 26. We have one item that's been pulled by speakers. It's item number 16, which is the roadway and relocation. We have late backups on 10, 36, 42, 44, 47, 48, 49, 50, 70, 71, 72, 75, 81, 82.

[10:23:34 AM]

The consent agenda today is items 1 through 44 and also items 74 through 77. The public hearings today on the addenda have been set with a time certain of 4:00, so we can't take up those three items until then. >> [Inaudible] >> Mayor Adler: Postponed. Just 79. So 79 -- so the overlay issue is postponed? >> [Inaudible - no mic on] >> Mayor Adler: Okay. That will come up at 4:00. >> Pool: I show 45 as on consent as well. That's the bylaws for the

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mac, but you said it stopped at 44. >> Mayor Adler: Yes. Those were from the committee so we can't take that up on consent. All right. So again, items 1 through 44 and 74 through 77. At this point the only one that's pulled and pulled for speakers is item number 16. We have some people that have signed up to speak on the consent agenda and I'm going to go ahead and call them now. Is Carlos León here? I think you signed up on 22, 36 and 76. You have three minutes, sir. >> Yes. [Speaking in Spanish] March 12, 2020, to speak what's right. [Speaking in Spanish] Photograph photograph first and foremost, thank you for

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let me speak against Dr. Mark Escott for Austin public health. His upside down statements about the transmission and severity of coronavirus covid-19 to try not canceling sxsw at first despite knowing its spread among the Chinese because of lunar new year's celebration and travel shows he initially ignored his hippocratic oath to first do us no harm. March 3 a Travis county commissioners court he said there has been no evidence of airborne person-to-person spread of the virus, though the CDC website said then that's the primary spread mechanism. He said there is not strong evidence that canceling mass gatherings breaks the chain of transmission of infectious disease though it does by preventing coast contact. Therefore he misled us by implying contact with liquids or surfaces where the virus was present was the only way to get it.

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To back south by's plan of disinfectant wipes, hand sanitizers and good hygiene to gas light us into feeling safe to wrongly push forward, though similar smaller conferences with less density had already been canceled. At your March 4 presser, Escott said it's probably more deadly than flu but it's not ebola, mers or sars. March 8 "New York Times" front page on screen now. Look at ems in haz-mat suits and the coronavirus woman in the isolation bubble in Nebraska. That's how you pinpoint ebola, sars and mers patients. -- Transport. He said there's no evidence canceling south by makes us safer though running it would have endangered it all. In his article identifying learning from clipping Cal errors and pre-hospital care, Escott advocates air

[10:27:38 AM]

based improvements to prioritizing patient safety. However, his half truths analyze were not honest mistakes to protect us but dishonest mistakes to expose us by pushing false anti-reality for profit over people he is legally bound to serve. A clear judgment and policy error crossing the line. Breaking our trust in him, which should not have happened and cannot continue in the position. Therefore, fire Dr. Escott now. And replace him with someone who puts our health and safety first. With matching true words and correct actions the first time because there's not always a second chance to get it right. And this evidence is in front of city council right now in black and white. [Buzzer sounding] In Jesus' name I pray. Amen. Thank you, lord. God bless Texas, the united States of America, constitutional law and truth, and above all [speaking in Spanish],

[10:28:40 AM]

mayor. God's word. >> Mayor Adler: Gus peña. Why don't you come on down. David king is on deck. >> Good morning, my name is Gustavo peña, co-founders of veterans for progress and growing strongly. Veterans from Iraq and Afghanistan and Vietnam and all the other wars. I'm not going to call them conflicts. In the television a couple days ago it showed a very, very offensive action taken by a motel that kicked out

[10:29:40 AM]

everybody. And I think all of you all know who it is and which hotel I'm talking about. This relates to number 16 having to do with displacement. Mayor, where are we going to displays or find apartments for these people that are being displaced? The roadway inn. I understand what they are trying to do. I've been homeless myself. We have veterans that are still homeless. What in the heck are we going to do

with the people that have been evicted -- >> Mayor Adler: Item 16 has been pulled so we're going to talk about that in a minute. >> Okay. I just wanted to say this is not acceptable and it shouldn't be acceptable to you too also, mayor. Now, what item am I allowed to speak on? >> I had you on 12, 21, 42. >> Okay. 42 is a resolution relating to individuals expressing homelessness. Come on, guys, I mean ladies and gentlemen, how many

[10:30:40 AM]

years have we been at this? We have been at this since Todd. That's when we started experiencing homelessness. And we're still here dealing with it. Is there a solution, mayor, somewhere? Rapid rehousing for single women and children that are homeless. And I thank those organizations that are plaguing -- placing them in units I wouldn't even go into. What in the hell -- excuse me. What in the heck are we going to do with placing people in appropriate units. I know what number you told me to speak on, number 42, rapid rehousing. Where are we going to rapid rehouse the people, council, donde? Could somebody tell me where? >> Mayor Adler: We're here to listen to you. >> I'm just telling you, I'm

[10:31:40 AM]

sick and tired of business as usual and not getting people housed. And you know it, mayor. How long have we been doing this? I've been doing this since Bruce Todd was mayor and we're still not there at zero homelessness. And I don't want to hear anything about any more zero homeless veterans. Because some of them are displaced also. And I'll leave it at that and, you know, we need to do a better job. I'm trying to do it also. I'm not well. [Buzzer sounding] I had a spine operation. Thank you and let's get them housed somewhere. Thank you. >> Mayor Adler: Thank you. Mr. King. >> Thank you, mayor, mayor pro tem and councilmembers. Thank you for keeping -- working to keep our community safe. I'm speaking on item 41 which is about partnership agreements to manage and maintain city parks. You know, this is an indicator that we're not doing the job we need to do to fund our parks sufficiently. So we're basically having to outsource it to these conservancies.

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That's -- that to me is an indication that we're failing our parks. And I understand that you have limited resources to deal with this issue. But really that's what this is saying is we're failing our parks or we're going to outsource it to private or non-profits. I understand we have conservancies already that do good work for our parks and I support that. I'm not speaking against them. But what I'm concerned about is when we turn over the maintenance and operations of our park to these entities, then we lose transparency. We lose control over policies. Decisions are then made out of sight of the public. So that's what I'm asking you to do is as you go through this process here to position us to do more conservancies

and more non-profits managing and operating our parks, then we need to ensure there is transparency in that process. That they can't hide behind non-profit status and say I

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can't give you that information. There should be stipulations and requirements for transparency and public input through this process. Not just in establishing this policy and this process, but when the policy is actually implemented. Equity should be a priority. We see that in our school districts, the ptas that are wealthy, they are helping their school district, and I'm not opposing them helping their own school district. But what we see is we see that that creates inequity. Where those parks and in this case the analogy is parks. When they are operated and maintained by these non-profits or by conservancies, then where is the equity? Where is the oversight of equity? And you can see today the fruition of those policies over decades, where we see the parks that have had these non-profits and conservancies and they have all the bells and whistles and conservancies they need. But the other parks, lower income areas of city and

[10:34:44 AM]

east Austin do not have that. This policy should be informed by equity and justice and transparency. Thank you. [Applause] >> Mayor Adler: Thank you. Colleagues, we have four public hearings set on our calendar on the addenda to be called at 4:00. All four of those are going to be postponed. So we can't postpone them until 4:00, but those four will be postponed. We also have three public hearings that were part of the regular agenda that were not set that way. So items number 47, which is the flood plain question, number 49 and 50, the affordable housing questions, can come up whenever it is on the calendar we can hear them. There's another one, item 48, that concerns the airport overlay. That relates to or at least has similar subject matter to the zoning cases, the two

[10:35:47 AM]

zoning cases so I'm going to call all those at the same time. Since the zoning case can't be called until 2:00, I'm not going to call that public hearing until after 2:00. Okay? >> Kitchen: Mayor? >> Mayor Adler: Also pulling item number 74. >> Kitchen: Yes. Thank you. >> Mayor Adler: So the items being pulled are 16 and 74. The consent agenda is 1 through 44 and 77 through. Is there a motion to approve? Councilmember Tovo makes that motion, seconded by councilmember Pool. Discussion on the consent agenda? >> Tovo: I have one more to pull and that is item 5. >> Mayor Adler: Okay. Let's pull item number 5 for councilmember Tovo. Any comments on the consent agenda? >> Flannigan: Show me voting no on 42 for the reasons I laid out on Tuesday. >> Mayor Adler: So noted. Councilmember Alter. >> Alter: It looks like

[10:36:52 AM]

37, hindu charities, still has \$575 to be funded. I would like to add \$200 to that fee waiver which leaves \$375 for their fee waiver if anyone else is interested in helping. >> Casar: I'll do that. >> Mayor Adler: Councilmember Casar picks up the balance. Anyone else? >> Garza: I just want to confirm that 24 and 35 are postponed. Is that right? >> Mayor Adler: Yes. >> Garza: And just to speak to those very quickly. There seems to be a disagreement on the direction this has been taken, and I've asked for this postponement to avoid us trying to figure out what package we can all get a consensus on. It's my understanding councilmember tovo, I unfortunately want today talk to you because I'm subquorummed out so I will plan to post something on the message board and hopefully we can work through a package of some sort that everybody can agree to or we can talk about it again at work

[10:37:53 AM]

session, next work session. >> Tovo: Mayor? >> Mayor Adler: Yes, councilmember tovo. >> Tovo: Given that we can't talk about it except in public forums, I'll just say I am supportive of the direction that I think you were going in of taking some of that funds and putting it into -- if that was your intent, putting it into the T.E.M. Transportation empowerment fund. But I would like to see staff come back with a real understanding of how this money is going to be allocated. We had a conversation on Tuesday about the kinds of businesses that are part of moveability. I was prepared to make an amendment to ask that the focus be on smaller businesses within that network. Our small -- [inaudible] Sector which is something that moveability and [inaudible]. I believe that should be the focus of the rest of the bus

[10:38:54 AM]

pass distribution, but too when this comes back to us, I hope we can really see, I thought the moveability executive director made a very good point that giving passes is not enough to encourage their use. That really there needs to be a wrap-around plan. And in looking at the backup at this point that we have, I don't see that wrap-around plan. I see there was really creative examples offered at the mobility committee about gameif Ying and really encouraged the use of those passes. That needs to be fleshed out between now and whenever this comes back to us and I would like to understand whether the smart trips model is -- again, how that investment, but to me there is more work to be done on [inaudible] As possible and really activating and affecting that mode share shift for employees and companies that would not make the investment in these

[10:39:59 AM]

bus passes. >> Mayor Adler: So I'm happy that you pulled it too because I think it's a really important conversation. I think a lot of it could be worked on off the dais so we're not drafting this on the dais because it looks like there's a lot of work to be done on this. I think because some of the questions raised, I'm not sure what the answers really are. First beginning with what is the goal of this? If the goal of this is to provide subsidy for people that want to [inaudible] Really good goal and I'm fine with setting that goal and putting dollars against that. There's another goal that I think this was also intending to address or was intending to address and that was to get people that were not inclined to use the bus to use the bus on the thought that if they used it two or three times or whatever, then they would end up using it a lot more. Moveability, I think has

[10:41:00 AM]

been over the last decade probably trying to work in this space, trying to get people to use it. And with limited tools. What they do is my understanding they recruit businesses that will give access to their employees and sit down and do the individual counseling, suggestions on how you do routes. [Inaudible] Bus passes that they could give people that would make that effort more successful, but I think that's something if that's what we're trying to do, we should say that's what we're trying to do and we should measure and evaluate it. And I would also like to know if that's the best thing we should be doing. The mayor pro tems resolution had lots of things that could be done. Similar to the ones that councilmember tovo raised. So I would like to know why we were choosing that one over other ones and whether we should be doing more of those. I'm not convinced as I sit here right now it should go

[10:42:03 AM]

to small companies because I don't know what is the most efficient way to get the greatest number using transit. If that's the goal, then I want to be mindful of that -- of that metric. And I would also say that the number of people that ought to be using it but are not presently inclined to use it probably run the gamut of economic well-being and standing and we should be trying to address that entire gamut. To get to 50% we're going to have to do culture change and the question is what is the best way to get that for me because I see that as a big hurdle. Councilmember Flannigan. >> Flannigan: Not to extend a conversation about a postponement, but in addition to all the stuff that we're saying, I think one of the underreported or under talked about items from project connect plan

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are upgrades in technology related to passes, related to apps, related to other things that would really help create those models that would allow far better integration with retailers or other entities that could provide those bonus points or whatever promise you might create. We talk about the hard scape infrastructure that's in that plan and to the extent culture change is on that list, the investments are probably the more important thing on that list because I think people see the investments are faster than driving the culture doesn't have to change. People are going to take the rote most efficient. I'm excited for a lot of things in the project connect plan, but specifically the technology upgrades that will actually help make these types of ideas even easier in the future. >> Mayor Adler: Okay. So those items are on the consent agenda to be postponed. Those in favor of the consent agenda raise your hand. Those opposed? It's unanimous on the dais with councilmember

[10:44:03 AM]

harper-madison off. Let's now do the items that have been pulled. Councilmember tovo, you pulled item 5. >> Tovo: I did, thank you. We got back some information through the Q and a, which I appreciate. This is an item that would upgrade the lighting at our existing convention center. What I would like to understand, I think it's about \$2 million -- I'm about to pull the backup. Given that we're having conversations about an expansion, I guess I'm wondering why after it looks as if the last upgrade was in 2002, so clearly it's probably time for an up grade, but why now? Why wait 18 years and tn do an up grade just as we may be embarking on more

[10:45:04 AM]

major changes at that facility? >> Good morning, mayor, council and city manager. Trish I can't, interim director of the Austin convention center. Councilmember, to answer your question, for a period of years the equipment has been available for repair and replacement. We have recently reached a period in time about a year ago we were notified several of the lighting control systems, the manufacturers were no longer going to be manufacturing this equipment any longer. So we initially looked at just upgrading the south side of the facility to the system that the north side of the facility runs on. Through the work that we've done with cco and the consultants, it was made aware to us that the systems

[10:46:07 AM]

are not compatible and we could not upgrade the south side to just the north side. For the 2002 facility. So in order to take care of the very urgent need of upgrading the south side facility, the entire system needs to be upgraded into one system that's streamlined. So we are now at a point over the last year because the parts aren't being manufactured anymore that we're having every time we've got a lighting panel in a room that goes out, it's a custom order and in a lot of ways the company is having to custom

build the parts, which is creating a long lag time for us to get the equipment in that we need. The lighting control systems in all of the event spaces are essential for us to be able to operate our facility. It is as essential as air conditioning and heating.

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So through the -- the process that we've been going through for the last year building this project together, it was brought to our attention and we, through the exploration of this, it's been determined the entire system needs to be upgraded. >> Tovo: Which you tell me what cco is? >> Capital contracting office. We procure the -- >> Tovo: So it looks as though it's going to take about a year -- well, let's see. It would go out in terms of the timing on this. >> If I may, councilmember. >> Tovo: It would take -- it looks as if the contract would come back at the end of July and then it would take about two years to do the work? So, again, that's -- I'm struggling, manager, to understand why we would be making a \$2 million investment two years from now in a facility on which the plan -- the plan is if we did proceed with an

[10:48:07 AM]

expansion, part of this facility is going away. I mean this is a very costly expenditure for a building that I hope we're going to see some of it removed, frankly. So -- I appreciate that obviously conventions need to be able to have great lighting. It sounds as if you've come up with a solution, though it's not a perfect solution, to replace what's there, but instead as I understand what you were just describing, instead of just upgrading the south side, which is where the upgrade is needed, it's going to be necessary to upgrade both the north side and the south side. >> So the convention center expansion project, you know, it is going to take some time to even work through, and if we were to start putting the building in the ground today, it would still take a number of years before the expansion would be completed and that would

[10:49:08 AM]

be just the new portion of the building. And then additionally for -- to start removing the existing portion of the convention center, you know, we're talking -- it could be, you know, anywhere between four and seven years, possibly longer before the entire project is completed. And the lighting system that we have is at such a critical phase and it's not necessarily just to have good event lighting for our customers, the equipment that we're at the phase is that it's functioning and working, turning on and turning off. The original south side system if we had the ability to upgrade that just to have it work on the north side, that is certainly what the intent was. But there is not a way to upgrade the south side without upgrading the control systems that work both sides.

[10:50:09 AM]

So I feel as though -- and as it's related to the two years and how long it may take, that is a long and a conservative approach where we are attempting to do that work mostly at night because we do have to service our events during the day. Those rooms are all being used during the day. So the projects that happen at the convention center tend to take a little more time than if it was just an empty facility. So two years is our best educated guess. And the priority would be to get the south side completed first. So it's essential in order to make sure that our clients have functioning, working lights that is more than -- you know, as important as an on and off function and not just something that would be fancy and dimmable or to, you know, enhance their overall experience. It's necessary. >> Tovo: I think you were trying to say --

[10:51:10 AM]

>> I wanted to add. Certainly we want to come back to council on July 30 for recommending a contractor. The reason we worked with convention center to use the methodology is because it provides an opportunity to evaluate and select the contractor that can best meet our needs and be on Sweed. -- Schedule. We'll look at not only do the work in two years but faster as part of that evaluation process and get them under contract as quickly as possible recognizing the need that the department has. So that's why we selected this method. We've been doing some work already on the design work and we are ready to issue the solicitation and try to get this done as quickly as possible. I just wanted to add that. >> Tovo: Thank you. All of this information is helpful. Is there an attempt to design the system in such a way that when the building is -- you know, assuming that there is a decision to go forward and expand the convention center, is the system being designed in such a way that when part of

[10:52:11 AM]

this building is taken down, the system will continue to be operable? I mean are you designing it with that -- with that longer vision in mind? >> That's correct, councilmember. We're -- our intent and as we've been going through the design process is to design a system that would be compatible with what is built on the expansion side. >> Tovo: I think that's important. >> Having the forethought. >> Tovo: The other, the part of the question I was asking is if part of this building is removed, which I -- as I've said a couple times this week, am really committed before we move forward with any kind of expansion to making sure we've got a solid commitment to really live out that vision of scenario 5, which is about removing the side of the convention center that is right now just, you know, a block face along what is a jewel of our city, the Waterloo greenway and

[10:53:12 AM]

that area of downtown. But the question I'm asking is whether the system is being designed in such a way that when that building -- if and when that building, parts of it are removed on eastern side, this system can continue to function. Is there a commitment going into this contract that the system is going to be designed in such a way that if you lose big parts of that building, it will continue to function, we're not going to be looking at a whole new system. >> That is correct. You are correct. >> Tovo: Great. Thank you. >> Flannigan: I had a similar question to the last one asked by my colleague. The investment we're making is not lost in the redevelopment. It is the investment that is part of it sounds like the redevelopment that the equipment will be able to be moved into new facilities and it will still have economic value to the convention center so it's not a short fix, this is part of a longer term investment. Is that a fair way to look at it? >> In terms of the equipment

[10:54:14 AM]

because they are physical light switches that are going to be in rooms, I do not believe it would be -- that we would have the opportunity to take the equipment out and install it in the new. But in terms of the operating systems with which is lighting is going to work, the intent is to try to use that system in the expansion as well so that we'll have everything on the same lighting system as we go through this multiple-phased approach of renovating or tearing down and rebuilding the existing convention center. >> Flannigan: Right. It seems fine to move forward with this today because it's select ago process, but might be good to check in with a few offices way before it comes back to council so we can make sure any of our questions are able to be addressed in that time period. Thanks. >> Mayor Adler: Okay. Are we ready to take a vote on number 5? Is there a motion to approve number 5?

[10:55:16 AM]

Mr. >> Flannigan: Makes a motion. Seconded by councilmember Ellis. All in favor? Unanimous on the dais with councilmember harper-madison off. Thank you very much. All right. Next item that we have number 16. We have two people signed up. Is Mr. Peña here? >> I'm still here, mayor. >> Mayor Adler: And Mr. King, you are on deck. >> Mayor and councilmembers, Gustavo Gus Peña again

[10:56:18 AM]

speaking on number 16 of the agenda. It's having to do with relocation of systems. You heard my comments before. Not enough empty units here in Austin, Texas. Not enough. You know, I'm fighting for my disability, service connected, but I still have time to go visit my brothers and sisters that are

homeless. Where are we going to put them at, mayor, councilmembers? Where are we going to put them? Y'all have done a good job of pushing the issue, but it's just not about pushing the issue, it's about finding units for these people that are being displaced. Fox 7 had a good piece on homelessness where the owner motel units without notifying the tenants.

[10:57:18 AM]

My black brother, I can't remember his name, but he said it appropriately, where are we going to go? You tore down the last housing that we had. It's just not a crisis. This is a serious issue right now. For the city of Austin. We have -- I shouldn't say black spot. I should maybe say -- I went to Washington, I spoke to the secretary of veterans affairs, he is coming to Austin, spoke to his chief of staff, he will be undercover visiting the V.A. Clinic next week -- two weeks from now, excuse me. Mayor, where are we going to put them? Once they leave the motel, yeah, you give them money for -- if they are able to they will go to another motel, but that's redundancy at its worst. Where in the heck are we going to put them.

[10:58:19 AM]

I cry and my wife says why are you crying and I said what are they doing to the people. Or what are they not doing for the homeless. I can show you, mayor, if you want to, you have two body guard. You have the chief of police come along, I can show you where the camps are at. They will allow me to take you over there or anybody else that wants to. It is bad, mayor, it is bad. And this relates to the 16, you know, funding for relocation is my -- it's not going to -- minute. It's not going to last. It ain't going to be the best situation for a lot of people. We're the laughing stock of the United States of America. I've been to Washington twice within three months. This shouldn't happen. In a Progressive city like Austin, Texas, it is getting too -- not enough units and it's too costly. Too expensive. [Buzzer sounding]

[10:59:19 AM]

Thank you for listening and allowing me to rant and rave, but I love my homeless people. Thank you very much. >> Mayor Adler: Go ahead, Mr. King. >> Thank you, mayor, mayor pro tem and councilmembers, and thank you for your service to our community. Thank you for your leadership on homelessness crisis here in Austin. I haven't seen the results from the last point in time count, but my understanding was that the expectation is that the numbers would be higher. We would have more homeless people. So I know this is a crisis for our city and I appreciate you stepping up to attack this crisis as I understand, though, and maybe you can help me make sure that my understanding is correct, the \$320,000 budget for this proposal will come from rental assistant funding to help low income families in Austin. If I'm understanding this. The question is, are we using

[11:00:20 AM]

the money to present the displacement of low income families to facilitate displacement of low income families in order to make room for homeless people. Is that what we're doing? These are low income families there's found a place to live that's affordable to them now we're saying we need it for homeless people and here's the money for you to relocate the that money we're spending to relocate these low income families to make room for homeless people is coming out of the bucket we need to present displacement of low income families police Austin and if it's coming from the rental assistance program that money is used for people displaced from development E. So if homelessness issue is a crisis displacement issue is a crisis. City data shows 262,000 households are at risk for displacement. You have that data. That equates to 57,000 people

[11:01:23 AM]

at risk for displacement in our city is that a crisis? I think you know the answer to that. But is it being treated as a crisis? We have \$7.54 million in our budget for antidisplacement. Seattle has over \$110 million in their budget for antidisplacement and, mayor, you have said that the current land development code is one of the root causes for the displacement issue in Austin. If that's the act, provide us data on how the proposed land development code will change the displacement materially change the displacement issue in that city. Where is that data? It's not come from a discussion. I've requested that and got a

[11:02:23 AM]

reply. With will cost \$696 to get that data. We deserve that data. I ask you to provide that before you flip the switch on the third reading of the land development code. Thank you. >> Mayor Adler: Thank you, those are all the speakers we have on item number 16. Which I think allows us to use the cbdg funding for this. Because it's an allowed use of those federal funds. I think it's going to require us to relocate ten people while we refurbish units. It's obviously to give us 87 total units. Hopefully they won't need as much at our work session as is identified here. Yes? >> I made somewhat similar remarks I'm going support this because it turns out it's a federal requirement. We don't have options on this but knowing that staff is going

[11:03:25 AM]

to work to limit the cost as much as possible is good to know. >> Mayor Adler: Great. Council member alter? >> Alter: Can we hear from staff. I'm curious the number of people we're displacing. I know the federal requirements require substantial funding for adjusting it but I don't know how many people we're talking about. There's a total of what we're calling nine household units which is a total of 11 people, all adults. >> Alter: So the amount you're asking for just seems like that's an awful lot of money for -- >> So, what we did. >> Alter: -- That many households >> What we did, we calculated that based on a worst case scenario of determining what

[11:04:25 AM]

these individuals, or the families have, as their gross monthly income. So, when we calculate a rental assistance payment, we typically look at what we're currently paying at the subject property, go out to the market and find comparable property that's December rent safe and sanitary but income individual, we take into account their gross monthly income, take 30 percent of that to calculate the supplement. In this case we assumed everybody there is low income to calculate what the replacement rental assistance payment would be on top of that rental assistance payment, we're also making them eligible for moving their personal property from the home as well so they have a moving payment that they receive in addition to that. >> Alter: Okay. So, just -- I mean, it's expensive for housing. That's why -- I mean, because it's like 42 months that we're -- >> Correct. It's a 42 month supplement.

[11:05:27 AM]

>> Alter: It adds up pretty quickly? >> Correct. It's that difference times the 42 month like you explained to lastly help find them, make them whole and put them into a replacement home at their choosing. >> Mayor? >>> Yes. >> I actually -- the people that are going to be staying there in the hotel, motels like that, they normally go in there when the weather is pretty bad and they move in with people that are other people, so they can afford just to have a couple days out of the -- when the weather is very extreme, because that's all they can afford. This is a federal requirement that we're facing because we're using federal money to buy that motel. Going through this experience, you know, I kind of regret that

[11:06:27 AM]

I went ahead and approved this motel purchase, you know? It's getting to the point where the kind of question and answers, and accusations that we're going through, we're trying to help transitional housing for these people that are out in the street. That's all we're trying to do. We'll not try to kick anybody out of these motels that are living there. You know these people themselves are going to have to live out of that after a couple of days because they can't afford to be living in a permanent structure. So they use these motels for a couple days or weeks. When they do get enough money that

they earn out there working to get out of the elements. And it's giving me a bad taste to see what we're going through and question that and accusations that we're kicking

[11:07:28 AM]

people out on the streets. We are not doing that. They are paying them -- with the money we're going to provide them, they'll stay at a more permanent location and when we get done most likely these people will be the ones to come back and live in that place. We're really trying to do our best here and that's all we're doing. >> Yes, council member kitchen? >> Kitchen: Thank you, I want to echo what you said. These folks will get more help than they might have gotten otherwise, and have a better route to be more permanency. It's a win-win. >> Mayor Adler: Let's vote those in favor please raise your hand. Those opposed with Harper Madison off. And 16 passes. I think that gets us then up to

[11:08:29 AM]

74. >> Mayor, I have a -- I know you said that you wanted to hear 48, which is the airport overlay with the zoning cases but assuming we'll have dead space from when we're done here into zoning if airport staff are still here, I would like to ask questions about 48 >> Mayor Adler: That will be fine. Yes. We'll go ahead and do that. My hope is to call all speakers at that time. But let's do that. Before that, let's deal with item number 74. Item number 74 there's a yellow sheet passed out I think on the diya's, this has disaster declaration being continued, indefinitely which means it will require the council to pull it

[11:09:30 AM]

down. This is to keep us in accord of what Travis county did, in have the action they took Tuesday. By the way the order that was entered that dealt with the large gathers which is the one order that was entered pursuant to the declaration actually extends until may 1st. So it extended past the 30 days anyhow, so we need to fix that. This brings us in accord with the county, so we have to pull it. Council member kitchen? >> Kitchen: I want to ask the city manager. First after, I want to say thank you to all of our staff, particularly Dr. S he cot and our public et staff. The work they are doing is key, because as we've all said, preparation is key to protecting our community, so to that end I wanted to ask you if you could speak to what measures the city is considering or is taking because we are a major employer, what are we thinking of this

[11:10:32 AM]

terms of all of the way from staff being able to work remotely to things like the importance of self quarantine, if they are exposed, and what means for them in terms of their leave or their sick leave? >> That's a great question council member, thank you for opening that. As you know we are a large city they are this community and we have some incredible employees. We are fortunate to have great benefits. So, over the last handful of weeks I've been working closely with our hr department to create forums for our hr managers to ask those questions and make sure we are providing answers to our employees as they come up. We had a directors meeting yesterday where we were also exploring different ways that we could continue to urge our departments to think about what their contingency plans are, we are creating an internal website for our city employees so they can have answers to those questions and we can do that in a transparent way.

[11:11:33 AM]

As you noted the health and safety of our employees is the number one priority and I continue to message that to our employees in memos that we sent and other forms of communication. >> Thank you, we also play a huge role for the rest of the city. In terms of helping to slow down the spread. As Dr. As cot has mentioned to the importance of that, so, as a major employer, we can set an example of what other employers can be doing, so, I do think it is important that we actually make it possible for people to practice to do safe practices, including staying home, including quarantining themselves, I would ask you to consider what that means in terms of people's ability to take leave, including sick leave. Council member pool and council

[11:12:34 AM]

member Flannigan. >> I want to make a motion to approve. >> Mayor Adler: Council member pool make a motion second by council member Casar. [Speaker off mic]. >>> Okay. Why don't you come down and speak if you want to. >> Mayor Adler: Wait, I called Mr. Flannigan next, I'll come back to you. >> Flannigan: We talked about this Tuesday where we were originally doing a 30-day window. The way it was explained, that sets kind of a shot clock, so we're making sure we'll come back and review it and renew it. It doesn't sound like this is too substantive of a change. Are you not hearing? Doesn't sound like too substantive of a change, because rationally we would be getting regular updates from staff and public health officials and be evaluating this not once every

[11:13:35 AM]

30 days but sometimes once every 30 minutes. Doesn't feel like too substance of a change. I know there are a lot of folks concerned about what impact it will have on folks whose need to go to work and pay their rent, as Dr. As cot said the economics can have health impacts I want to check the message board. I

posted the message board initiating the work how to make sure folks are still able to be safe and eat, especially relate as we think about those impacted by south bay directly being a much more local issue than the larger economic impacts that I hope functional federal government might do. Maybe we'll get one someday. At the very least I encourage you to participate on the message board to the extent that you can. >> Mayor Adler: Council member tovo. >> Tovo: Thank you. >> Mayor Adler: Wait. Oh, yeah. Right. Mr. Pena?

[11:14:37 AM]

>> Females first. >> Mayor Adler: No, no. >> I'm a strong supporter of women's rights. Gus Pena again. I just wanted to thank Dr. As cot also, but don't forget about our director of health and human services Stephanie Heyden who has been very instrumental on educating the community, educating you all, educating sometime with Dr. Ascott also, I know who he is. Anyway, this is -- I've never seen anything like this before, not even overseas where there were tropical diseases, I do want to thank the staff, and I tell people, don't shake hands anymore, just give them a little bump or whatever, you know, I -- this is spooky, this is very spooky, but thank the good lord we have good staff members and council members that will listen to the community, and I just leave it at that. But we're not out of the -- we're not out of the woods. I heard we have people already here in Austin that are already

[11:15:39 AM]

ill with the illness, and so, thank you very much for that. And again, again, thank you for that, and also, working hard with the homeless, because this impacts them also. Thank you very much. >> Mayor Adler: Thank you. Council member tovo. >> Tovo: I wanted to say a couple of things. And, manager, you can confirm. But it's my understanding that as of last night when we served our report there have been no confirmed cases in the auguste opinion-travis county area. Is that correct? >> That's correct. >> Tovo: I wanted to encourage members of the community, I know our office has gotten questions, as all of our offices are, we have had a good discussion with the work session Tuesday with the health director and medical director who I would like to encourage members of the community who might be watching this, that that was a good

[11:16:39 AM]

discussion and could be useful and might answer some of the questions that you may be facing. That's available on our city website but the city has put together, and is updating regularly, information about the coronavirus with precautions and other information, and so that's also available as a direct link from our city website. So I know that we're getting questions and sending people there, or sending them to 311 if they are a business in this community. You can get transferred to public health and get specific

information about how you might address it as a business. And so that's -- thank you h-city manager for all of the work, the tremendous work our public health department is doing and thank you to our communications staff for keeping that regularly updated because there are obviously lots of concerns and lots of question and having that site where people can go to and get correct information about what the situation here is in Austin is very, very useful. Council member than began, thank

[11:17:40 AM]

you flin /* I did see your message gourd post. I have specific suggestions that have come to me from members of the community and my staff and I have been working on. The next couple days we'll figure out what the best route is for that since you have already selected your co-sponsors, this is definitely an issue that's tremendously impactful on businesses in our district and I support your effort, and we'll be also doing some work on that, and again, I'll give some thought as to whether that needs to be a separate item, or whether it would be -- make sense as amendments to your, but I think that's a very important conversation to continue from your conversation Tuesday when we directed our manager to be really thinking about ways that the city could be instrumental, whether it's the waiver of permit fees, or other kinds of programs, as a small business how we can address the economic need that some of our businesses are facing and as we know, we

[11:18:42 AM]

now have money through the federal government tore that as well. So, important issue. Thank you. >>> Council member Casar this >> Casar: Thank you, mayor yesterday the world health organization declared world health organization a global pandemic and this step to declare a local state of disaster is really important. I know everybody hear stands behind our public health professionals helping to slow the spread and helping us stop this from overwhelming our health care system and by doing that we can save lives. Those that didn't get a chance to watches work session, and they should. It laid out why we need to take steps of present that level of overwhelming. We need to continue to take, I think even more stepping on gathers and social distancing. I have come to understand how slowing the spread will save lives in the long run. And it is better, I think, that

[11:19:43 AM]

we act early and risk taking on popular action rather than act late and risk being negligent and we need to think not just the public health impact but the damage caused by missing work because their family members sick or because they don't have child care. As of this morning I've touched base with department directors, manager and some of you all about some steps that we need to prepare to take. One, I think we need to be prepared to temporarily halt electric and water utility shut-offs. If there are

people who cannot go to work, have to stay at home, because they or a loved one is sick and if they can't pay the bills we shouldn't shut off utilities. This is a step a city takes when there's a heat wave and other issues and we should talk to those who provide private utilities about being the same. We need to present evictions as far as what is legally allowable. There's local actions we can take, the state government can take to reduce slow or stop

[11:20:43 AM]

evictions especially those people who are sick. Again if we're sending people home from work and they aren't getting paid time off, then we don't want them to end up getting kicked out of their homes. So, no. 2 I think we need to think about presenting evictions. 3, we need to continue to focus on presenting the spread in hospitals, nursing homes jails and vulnerable people are. The doctor's action yesterday was important present the spread in nursing homes and assisted facilities and we have low income apartments for seniors and need to help there. It means not necessarily sending people into the jail we can't test. We know there's cities in places taking action on that. Next we have to prepare to mitigate job loss in the local economy and so we've started conversations about accelerating city projects and taking other actions that can create jobs in

[11:21:43 AM]

the face of local disaster. We have to be prepared to deploy city resources quickly. We discussed that if we have to reconfigure things in the city budget, redeploy city contracts and do what is necessary. We have to express that we can step up and do that and last I think it's important to call on all employers to give their staff paid time off in an employee or family member is sick. It was called the linchpin of our strategy during the work session. If we don't have a law that guarantee everybody that right we need to call on local employers to step up and do that and call on landlords to not evict tenants impacted by the virus as we ask community members to follow guidelines to prevent further spread because we know that rapid spread can have severe impact on someone that's younger. Someone that's younger and does not have compromise to their immune system they can spread that. So I appreciate that we're all, think, pushing in the exact same

[11:22:44 AM]

direction with urgency and if we act early, it may be difficult or unpopular, but I think we will -- everyone will appreciate us having acted early rather than late. >> Mayor Adler: Mayor pro tem Garza? >> Garza: Council member Casar beat me to the punch on a couple things I was going to say, one was other cities have been able to stop utility shutoffs and evictions. I know we, as a city, can't do that, because of the way our property laws are dictated by our state legislature, but as council member Casar stated it is a

call we can make to people to not evict people during this time. He also hit on some other points I wanted to make about, I'm hearing of the possibility of courts having to close, so on one hand maybe the fact that courts are closing would stop evictions. On the other hand, the city

[11:23:44 AM]

magistrate, people that are -- you know, charged with offenses, and I -- there's concern about people languishing in jail because their case cannot be heard because court is closed. It's important for our city staff to look at all of the different ways that can affect how we mitigate that. This is such a huge, huge issue, and you know, I saw the coronavirus testing for somebody with health insurance was about \$400 and I don't know if this is true. I saw this in the media this morning. If you don't have insurance about \$1600. The people affected most by this, you can just look at the life expectancy this our city, look at that map and see east of 35, you have a lower life expectancy, you will possibly die in your 60s. If you live west of 35 you can

[11:24:44 AM]

live all of the way into your 80s. So the people that will be most affected by this are the most vulnerable who don't have access to health care, who have jobs that do not provide time off for them, who will go to work because they have no other choice because their utilities will be cut off and they will not be able to pay their rent. I really need to pay attention to that and make sure we are mitigating, and if that is a special called meeting where we talk about an emergency fund of some sort, we need -- I think we need to start having that conversation now, and how we work with our different governmental entities to make sure that we addressed this, we start thinking about it now, because I just from reading media news articles this morning, I think other cities are kind of ahead of us a little bit. Not a little bit actually a lot. >> Mayor Adler: Okay. Council member alter? >> Alter: Appreciate the work

[11:25:45 AM]

of our staff moving us forward, and adjusting the pandemic. I did want to raise a couple issues that I would like to ask the city manager to make sure that our Pio is addressing. One of those is to make sure that people know exactly what they're supposed to do if they believe someone is ill, simply saying, call your doctor first is not quite enough information, people are starting to get the message that there are certain groups that are more vulnerable and focusing in on what their behaviors need to be when there 80-year-old is sick, but there's a lack of understanding I think about what they need to do in that circumstance. And the clearer we can be and better we can get out those messages I think the better it would be. The second area that -- and I've been in some correspondence with Pio about this -- is the follow-up on the testing question that we talked about on Tuesday. So, it is my understanding that

[11:26:46 AM]

anyone in our community who has met the criteria set out by the CDC is being tested. No one who has been tested has tested positive. Questions are being raised whether there are people out in the community who have the virus but are not being tested because they are not meeting the criteria set forth by the CDC and were it to be true that there were a lot of people out there that had coronavirus that were not tested we would be behind the game in our preparations. So, I think we need to get some clarity on what we know from other places, as to whether folks who don't meet that criteria could be reasonably anticipated to have the virus, and if we think there's a population of folks who might, then we may need to be accelerating some of our preparation, again, I know that anyone who meets the criteria is being tested. But there is a question that is

[11:27:47 AM]

out there that I think should be addressed sooner rather than later, because it has large implications for what we're doing in terms of preparedness. I do not know the answer. I just know that's a question that we need to address and depending on the answer, be prepared for. >> Thank you for raising those council member, and we will make sure to include those as best we can in the way on the website. >> Mayor Adler: While we're having this conversation, I would point out that there are things that people can be doing in the community. Everybody should be washing their hands for an extended period of time. People shouldn't be shaking hands. Should be fist pumped the "Star wars" -- "Star trek" greeting. The -- it's important to know that those are things that are being suggested, not just so

[11:28:48 AM]

that people can do something, so they can feel like they are doing something, but perhaps the most effective thing we can be doing to stop and slow the spread of the virus is to do that. In addition, there's some community members that have stood up some funds to try and bring relief to folks that have been most injured with the cancellation of south by southwest, and least able to sustain that injury. One such fund is stand with Austin, the Austin community foundation and entrepreneur's foundation. They raised \$260,000 in match, if the rest of the community will equal that. That would get that fund kicked off with a little over half a million dollars. I urge people to go to austin.cf.org for that. There's also a pub crawl happening Sunday with the Austin

[11:29:50 AM]

justice coalition to support folks that's #southbye. The red river association has a go fund me account called banding together atx. Those are three places I'm aware of we can all participate in and I echo the comments from my colleagues. When is a community we step forward and pull down south by, it was a really painful thing to do in so many way, disruptive in so many ways but when you look at what's happening around the country now, it makes -- puts into context what we did, and it's not an outlier at this point and we need to continue our vigilance to keep the community safe. Council member

[11:30:50 AM]

>> Tovo: ? >> Tovo: Thank you to all of my colleagues for their suggestions and ideas. I know local communities put out what other cities doing, not cutting out utilities. City manager, I would concur with my colleague, council member Casar and mayor pro tem for taking the steps right now. I don't want you to hesitate in taking some of those actions and waiting for ifc. That's something that the Austin energy has the ability to do with high temperature. If there are actions that you need council to take I ask that you work with your staff and have those on our next agenda, on the March 26th agenda and in absence of that, start that practice before hand. I don't know whether you feel you need direction from council or whether you need us all to weigh in on something like that or that's something you can be proactively working with staff to consider and bring forward.

[11:31:50 AM]

>> Thank you for opening that door council member, I think this dialogue and show of solidarity with the council and this dais, to make sure we provide those programs, as you mentioned there are existing programs that we do have. How can we highlight those or if we need to initial gate them before council can take action, if I can do that administrate only, I will certainly do that. I know discussions among staff have already started so Austin public health and economic development departments have been starting those discussions, they look forward to continuing them as we move forward but I'll absolutely not hesitate to call a special called meeting or to ask the mayor to call a special called meeting if we need to do something sooner. >> Yes, it was a council policy action that did the utility cut off cessation in high temperatures. It's just tied, if I recall, just tied to temperatures. If you need council action to tweak that I ask you put it

[11:32:51 AM]

under the agenda of if it's possible to tweak it without, I think council member Casar raises a really good point that that is an important step, and taking it sooner rather than later is probably important. >> Understood. >> Tovo: I want to highlight local businesses already thinking about how to address this in really important ways. The peddler for example that's a home grown Austin business setting a great

model announced yesterday they are offering unlimited paid sick leave to their employees to encourage them to stay home when they're ill for the safety of their customers as well as staff. We have other great examples in our community of businesses rallying in positive ways so I appreciate those who are setting that example for others. >> Mayor Adler: Okay. Anything else on this item?

[11:33:51 AM]

All right. I think we're on item number 74, those in favor of 74, please raise your hand. Those opposed? Unanimous on the dais with council member Harper Madison off. Okay. I think those are all of the consent items that we had. Let's pull up 48 -- I guess we have the three public hearings 48, 49 and 50 and 45. Let's do those now. I think airport is going to have to come here this afternoon, too. If there's a gap we'll handle these other things. Let's begin with item number 45

[11:34:55 AM]

from audit and finance the Mac board name change. Do you want to make a motion to approve item number 45 and give a sentence or two what it is and why we need to do it? >> So, I'll make that motion and what this does, it just changes the name to reflect the name of the Mac, which has been recently changed. >> Mayor Adler: Okay. Second by council member >> Tovo: . Any discussion? Those in favor of item number 45 please raise your hand. Those opposed the item is on the dais with council member Harper Madison gone. That gets us to item number 47. Do we have staff here for that? This is the floodplain variance. >> Thank you, Mr. Mayor, mayor pro tem and council member

[11:35:56 AM]

members. The item before you floodplain variance request at the property at 1,000 north Lamar in the shoal creek watershed. There's an overview of the area right there, with Lamar boulevard running north-south in the middle of the slide. You can see house park at the top of the slide. This property is three blocks south at Lamar and tenth street. You can see the -- this application was submitted previous to the atlas 14 floodplain. When I talk about the 100-year floodplain and 25-year floodplain those are the old floodplain, okay? Not the new 100 and 25 years. What we see in dark blue is 25-year floodplain and light blue on the outer skirts you can't see very well is the 100 year floodplain. If we zoom in to the property you can see dark color again, 25 year floodplain, the color just

[11:36:57 AM]

to the outside of that is 100 year floodplain and pink color is 500 year floodplain which is now the current 100-year floodplain. This property is entirely in the 100-year floodplain. There's a history of flooding on this street in general and at that property most recently for the memorial day storm 2015 it was this picture right here. You can see that building on the right, that's the old Travis county service center that was on this property before it refenced. This is the building itself that had a high water mark in the building about 44 inches deep for that memorial day flood. This is another flood that happened. This is right there at Lamar and 10th street. November 2001.

[11:37:58 AM]

And of course memorial day 1981. This is not the same building this is now the goodwill but used to be whole foods building. You can see the high water mark on itself. With that history of flooding that has happened, I want to talk about the flood risk that being asked for with that variance request. The request is to include parking on the bottom floor of the existing building. The floodplain depth for the 100-year floodplain at that property is about nine feet deep. If we look at current 100 year floodplain, FEMA 500 year flooding it's almost 11 feet deep. Now, some of you may be saying to yourself, am I having deja Vu and the answer is no. Because this property did come before you for a floodplain variance request previously. I want to run through that history so you under how we got

[11:38:58 AM]

to where we are today. November of 2016 the applicants requested a floodplain variance request for this development to go from the Travis county service center building to what is there today. At that time, the request was to have parking on the ground level, parking on the second level, with office on the third and fourth level of the building. That development in itself caused an adverse flooding impact of property. It did not have safe access and of course there's parking in the floodplain. During the deliberations of that item, the applicant requested it be postponed. They came back, they worked with our designers, and with staff, and they came back one month later with a different variance request. And different development all together. Very revised the development of the building a little bit. Removed adverse impact. Proposed nothing to be done on the ground level. Parking on the second level and half the third level with the other half of the third and

[11:39:59 AM]

fourth level as being office. Again, they still did not have safe access, however, the parking on the ground level that is so deep or was so deep, still is, was not being requested at that time. This variance request was approved. The building went under construction in 2017. They moved into the building in mid 2018. No parking on the ground level. Parking on the second and half of the third. Soon after

moving in, their employees realize that the transit options were not working for them and they felt a need to drive to work. Having more employees drive to work means they need more parking spaces. They realize there's not enough parking spaces on the second level and half the third, so the employees started to park on the first level of the structure. In response to that, the owner

[11:41:02 AM]

striped the parking to legitimize it and show the employees they should be parking down there. Once striped it was obviously used by employees. The site plan as approved did not allow for parking on that lower level, so Austin code sent them violation, for parking without a permit. That's where we come back today is requesting the ground level be turned into parking along with the second level and half the third and deep half the third and fourth as the office. The only change in the building -- there's no change in the building itself. The only change in the site plan is allow parking on that ground level. There's a picture of the building as it exists today. You can see on the first level there's parking on that first level that's happening current limit there's a lot of numbers

[11:42:02 AM]

but two approved parking table on top and proposed parking table on the bottom, and key thing I want to point out this request is for a 71 percent increase in the number of parking spaces on this property. So, again, the variance requests to allow parking in the floodplain, up to nine feet deep in the old 100 year floodplain up to 11 feet in the current 100 year floodplain. When we look at parking criteria, there are cases where you can't park in the floodplain if the maximum depth is maximum depth of one foot with average depth of eight inches in the 100 year floodplain. That can be approved by staff not for a parking area as deep as we have in this case. Obviously, the intent of these rules are to protect the --

[11:43:03 AM]

protect people and property and minimize hazardous cars in contact with flood waters and again proposed development request for parking nine feet deep, in the old 100 floodplain and 11 feet deep in the 100 year floodplain. The finding we have. The parking does not comply with code requirements and this request does not meet the harshest of concerns as described if the building code because this site has an approved site plan and has development that has already been built and in use today. Staff recommends denial and the primary reason is the extremely high depth of flooding at this property. If you have any question, I'm happy to answer them. I believe my colleagues from dsd are here, development services development to talk about parking and Austin transportation department to

[11:44:03 AM]

talk about parking arrangement there's. If you have questions I'm happy to answer. >>> We also have the applicant here as well. Mayor? >> Mayor Adler: Yes. >> Can you send that presentation to the council real fast? I would like an opportunity to look at it on my screen here if staff can send it to us real quickly. >> Can you share it with him? Is that possible this. >>> Clerk would need to do that. >> We need to get it. It would be great to have those back-up materials earlier so we can see them. >> Judging for this time or in the future as well? Okay. >> Mayor Adler: Council member tovo? >> Tovo: I have a few questions. Thank you for the reminder about the history of it. I remember the case. It was a challenging one at the time. I want to understand the relationship between what is

[11:45:03 AM]

requested now and what was initially requested before the revision of the plan. Am I right in thinking that initially they did ask for parking on the first level? And then went back when they heard concerns from council, then went back and revised that and came back with parking on second and third as you described. This would in fact get us back to the no. 1 plan that they originally presented. That is essentially correct. When you look at the first variance request, there was an average impact being cautioned by the building itself. They redesigned the building and removed that average impact. As far as the building layout goes, the first request was parking one, two, office, three and four. What was approved a month later was nothing on the ground level. Parking on two and a half and three, office on the rest of the half of floor and all of four. >> Tovo: Can you walk us

[11:46:03 AM]

through generally, and I know you've summarized these concerns, can you walk us through generally why it's of concern to have cars potentially coming into contact? You indicated that one concern is having cars potentially coming into contact with flood waters. What are the concerns? Could you elaborate on who those are? >> I think the primary concern is the risk to people who would be trying to get in their cars and get out of the floodplain if it starts to flood. That's the primary concern. There is also a second carry concern about cars being in contact with flood waters, because then you get a lot of fluids from the car, then spill out into the flood waters themselves and make it more dangerous. >> Tovo: And that in fact happened in this area, right, with the car dealership? >> It happened multiple times, correct. Yes. >> Tovo: Where cars ended up in flood waters, in not exactly this location but along this little stretch of Lamar where

[11:47:04 AM]

flooding has been prevalent for decades? >> Yes. >> Tovo: And then, just so I'm clear, the applicant started parking, I mean, they started using this area as a parking lot? And code got involved? >> They started parking there without it being striped at all. The owner then striped the parking lot after it was striped then code gave them the violation. >> Tovo: Okay. Thank you. >> Yep. >> Mayor Adler: Further discussion before we hear from the applicant? >> Tovo: Thanks, mayor I forgot I have one question. You Stated parking cars there, the fact people might get in their cars with the rising water. Can you help us -- you used to have a -- I guess this isn't posing a risk of -- we used to

[11:48:04 AM]

have a video that you would show to show how quickly some of those flood waters come up. Can you give us some sense of how quickly, how quickly something like that might happen in this location? How quickly those flood waters could become of concern to employees where they might be getting into their cars or would they have enough notice that they could leave earlier? >> Well, I hate to say it depends but it depends on the rainfall. What we've seen, with the way, in urban stream like Shoal Creek reacts it peaks very quickly down stream. We have cases where we have water in the channel and all of a sudden water in the street over a 15 to 20 minute period, and we have made great advancements as far as flooding goes, and trying to get the word out. But there are some cases in town where it's way too fast.

[11:49:05 AM]

Even the flood warning may not be enough. To warn building owners, homeowners or people in their vehicles to get out of the floodplain. >> Tovo: Would you mind saying that bit about Shoal Creek again? You said from the channel to where the water is on the street, you've seen it happen within 15 to 20 minutes? >> That's correct. >> Tovo: What is the channel in the creek itself? >> In the creek itself. ? Shoal Creek which is this channel. It can be on Lamar Street very quickly, Lamar this that area is very low. >> Tovo: By very quickly, I thought you were going to say an hour or two, but you've seen it happen within 15, 20 minutes this. >> Yes. >> Tovo: That is quick indeed. Okay. Thank you very much. >> Mayor Adler: Council member Pool? >> Pool: I remember this when we first had this request for flood variance come before us a couple years ago. I voted yes at the time.

[11:50:05 AM]

Because I was assured by the developers of the site, the owners that people would be on the first floor of parking that they would be elevated. I'm going to stick with that this go round, so I won't be voting in

support of allowing people to park on the first floor given the very real risks to personal safety for folks in that location. Okay. Anything before we hear from the applicant? >> You may have already answered this as part of council member tovo's question, but I understand there was recommendation against this the first time and then here as well. Is there -- what is this difference between folks parking on the second floor, and potentially getting in L cars out during the flood and parking on the first. Is it on the first, they may have water creeping up on their car? On the second level at least you could come down and see the

[11:51:06 AM]

water and talk through the difference of risk of employees getting in the cars on the second level and going down into a flood as opposed to the first? >> Yes. >> I understand it's better for neither level to have cars and for no one to be there. If there were to be cars -- if we were to not pass this and just park on the second level or pass this and have them on the first explain the difference one more time. >> The second level itself is above the 100 year floodplain, the new 100 year floodplain and the thought would be if an employee get noose their car on the second level during the flood and they have to then go to the first level and leave the building, they then see, oh, I can't dark there's flood waters, I'm going to back up and park and say here for a while. The hope is to have that place of safe refuge into shelter in place and have the parking on the second level that much less flood risk, to see there's flood

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risks that exist at that time is very important. >> Compared to if you park on the first level and go out on the street and say wow there's a lot of water here, and go up into the elevator -- I'm trying to -- seems it's dangerous to come out of the building on to Lamar either way? >> I guess the fear is that during time of significant flood it's already going to be flooding on the first level. >> Which you shouldn't get into your car again? >> Say again. >> In which case you can't get into your car at all. >> Can't get to the car. >> I'm trying to under, is there some level of risk associated with the cars washing away? I'm just trying to under. Because it seems dangerous to get into your car, whether on the second level or first level because you get trapped on Lamar. >> They did incorporate in the design of the building fencing around the structure itself, so, cars would not float away from

[11:53:06 AM]

the building itself. They would just float in the garage itself. Because of that fencing that's installed. >> I'm going to keep thinking about it. I understand you definitely want to keep people off the first level. I'm trying to -- and will be interested this hearing from folks their thinking if you shouldn't be getting into your car on either level because there's flood waters, what the level of differences. If it's because it

potentially reduces the number of employees in the building not to have parking on the building. I know the applicant will speak to this. I want to learn about that as well. >> Mayor Adler: Mayor pro tem? >> I remember this discussion, but I apparently was off the dais so I didn't vote. I thought part of the discussion was a clear indication that there would be shelter in place rpgs a shelter place policy by the applicant. >> And they did put together a flood plan to educate the employees about this flood risk,

[11:54:07 AM]

such that they would understand it and then they can shelter place. They have completed that. That's part of their current development. >> So, I guess what I -- I'll say on one hand, I totally under the optics of there was an agreement for you not to do this and you did it. And we're kind of there now. On the other hand there's parking at this level all over the street. There are cars that drive on roads all over on this street. There's a policy in place to shelter in place, so they should not be running to their cars if it starts to flood. And so, I'm trying to -- I don't remember the exact discussion but I don't know if it's purely taking out parking from the first floor was the linchpin that said now it's a 10-0 vote

[11:55:09 AM]

because it was that one little thing and I don't remember that being like -- and I know you're -- you all get a chance to speak in a little bit. I don't remember being the one linchpin saying now we're going to approve it. Anyway, I appreciate your reasoning. I will be thinking about where to go on this. >> Mayor Adler: Council member pool? >> Pool: It was the shelter in place that was so important. I know at the time there was some effort to try to even link an aerial walkway to the building. We knew that couldn't and wouldn't happen. The point being if we have nine feet of running water flowing down that area of Lamar, which happen was some regulator if infrequently, then people would be up high enough where they would be safe. And we would assume that a rational adult wouldn't get in the car and try to drive through

[11:56:11 AM]

it. If the car is on the first floor it's inundated and submerged in the water and wouldn't be any way to get the car out anyway in the worst case scenario. Obviously there's lower levels from the beginning to the end. So, I -- and I am also reminded about the conversation that we had with the owner of the property at the time we agreed to the variance in the first place that was a difficult decision and -- but we made it with the understanding and promise that the shelter in place piece was going to be communicated robustly to the employees, I'm frankly disappointed that the owner came back and now asking us to undo the decision made a couple years ago which is again why I can't support it, primarily

because of our agreement with the owner at the time when we first allowed for the variance relating to the parking garage. Thanks. [Speaker off mic] >> Mayor Adler: While we're

[11:57:12 AM]

still in deliberation, before we come to conclusions I think we ought to give the applicant a chance to speak. >> I have a question for him. >> Mayor Adler: Okay. Go ahead. >> Okay, my question is, just -- and I'll ask the applicant the same, from your perspective, what is your understanding of the applicant's thinking about the need for additional housing -- additional parking? Why -- what have they -- why do they need additional parking? >> When they got their site plan approved in January 2018, they received a 40 percent reduction in required parking. That reduction, in parking is now hurting them, because they need their -- their employees need parking on the site so that reduction in allowed parking is not working for them. >> Is it your understanding that their need for parking has changed? >> No. I think the need -- no, I do not. That's not my understanding. >> Okay, all right. Thank you. >> Yep. >> Mayor Adler: Let's call up

[11:58:14 AM]

the applicant. Representative, you have five minutes to open. >> You also have time donated from Frank Fuentes who is here and Patrick O'Dern is here. So, actually you have the five plus two plus two, so you have nine if you want it. >> Thank you, mayor. Good morning I think we're still in morning time. It's almost noon. Good afternoon mayor, mayor pro tem, council members, city manager and city attorney I'm Alice Glass corepresenting the gentlemen group that owns the building in front of you. We were here in 2016 where you granted the variance to build this building and associated parking. So I'm just going to walk you through, while we're here today, and a few things have changed. Kevin walked you through the floodplain process, these are the buildings that are currently on this side of Lamar and this

[11:59:17 AM]

map shows the site in red. The other buildings on this site all have their employees park on the surface parking. We're the only building shown on this map that has a parking garage, all other businesses have surface parking so those vehicles would be in floodplain at any given time whereas our building uses the garage. So just a history how we got here December 15, 2016 you granted the variance that Kevin just walked you through. July 23rd of 2018 we received a certificate of occupancy to occupy the building and 2019, we received a code violation, because we were indeed parking on the first floor and I'll explain all of that. After we received the code violation, we did meet with Kevin and the code enforcement officer who issued the citation to determine what it is we needed to do to correct the -- or, address the violation.

[12:00:19 PM]

Kevin told us we needed to submit a site plan correction to show -- to delineate the spaces on the first floor for parking. We submitted a site plan correction on November 12, 2019. We received an approval on the 14th, November 14th, 2019. On November 22nd, we received an e-mail telling us the site plan had been revoked. We were then told that that revocation was due to the fact that we needed to come back to city council to reapprove the variance granted in 2016. So, in 2016 you granted four variances. The first had to do with encroaching on the 25-year floodplain. Allowed us to build the building with associated parking. It does not prohibit us from building on the first floor. It was site plan that showed the parking. It also required a dedicated easement. You approved variance regarding

[12:01:23 PM]

egreg and no. 4 had to do with non-conformity, basically having development in the floodplain. Today we're back for you to reapprove items no. "A" and "D" that is to allow parking in the floodplain which you approved back then, but we just did not show the site plan, parking on the site plan that was associated with that variance. So, this is the make-up of the tenants of the building. The gentleman group is a multi family construction, so you have 32 employees. Most of them are project managers so they have to come -- they go to job sites frequently, they come to the office, they clock in, they go to various job sites on any given day. Retail connection is a brokerage realtor business and they go to realtor brokers to show sites and visit sites that are being -- that they are selling or leasing, and then an

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attorney -- that is 19 people. So a total of 61 people in this building. Back in -- the parking issue has to do with the fact that the original site plan did not show parking on the first floor. Currently we have 65 parking spaces. This -- that includes parking on the first floor, 25 spaces. The 65 spaces are the minimum required by code. The 40 percent reduction that Kevin mentioned, those are the spaces that are on the second and third level of the building. So, if we park on the first level, it puts us right at the minimum code requirement of 65 spaces. So, this is the first floor that you -- Mr. Shunk was speaking about. You can see the flood level shown on the poles, and you can see the fencing, the cars are phelpsed in. There's a concrete fencing, or steel fencing to keep the cars in, in the event they are --

[12:03:25 PM]

there is a flood but hopefully that won't happen, there won't be anybody here in the building. This is second floor parking, third floor which is half of the building, not all of it is parking. So, originally we did not think we needed first floor parking. We believed the personnel would take public transit. Occupy building occupants are in construction and real estate as I indicated earlier, and real estate brokerage, they have to visit sites every day and that makes using public transit not feasible for those reasons. The last mall commute and frequency of transit has been extremely challenging, than previously thought, and that we have met council ordinance conditions for parking on the first floor. The ordinance approved in 2016 had these two criteria. The first one stated that the applicant will restrict associated parking to occupying tenants and their guests only and no general public parking

[12:04:27 PM]

shall be allowed. That is still true today. We do not allow public parking for the tenants and their guests. The applicant will include in the tenant lease agreement a provision stating the building is located in the floodplain and subject to flooding in rain events. So, our office tenants would be allowed on the first floor if you allow us to approve -- if you approve this variance, the 25 cars will be displaced to the neighborhood streets if you don't approve this variance, because as you saw cars currently parked on the streets are in the floodplain, or, folks would park, use metered spaces or keep feeding the meter or parking in the neighboring streets. We're bounded on the west side by the west side neighborhood association with whom we met this Tuesday at the general membership meeting, they voted

[12:05:27 PM]

to autopsy port our variance so we would not obviously have to park our cars in their -- on their neighborhood streets. So, as you can see here, the cars protected by fencing. When there's going to be bad weather or possible flooding, the tenants do receive bad weather warning and it's our desire, obviously, that if there is going to be flooding, that our people work from home, telework and not come to work. So, those options are there for them. And we hope you can grant our variance to allow us to park on that first floor. I'll be glad to answer any questions that you might have. >> Mayor Adler: This may take a while. It's now afternoon noon. It's my recommendation, if you have a question -- ask that question, but then we break for citizen communication and pick this back up after lunch. After executive session when we come back.

[12:06:28 PM]

Council member kitchen? >> Kitchen: I'm wanting to under -- I'm wanting to understand the difference in need for parking, you -- the tenants are experiencing now as opposed to when this was approved. Were there different tenants at that time, or did you not have tenants at that time? >> When the

building was built, the main tenant was going to be the owner of the building, journeyman group which was muffle tie family development group. We knew they would be there as main tenant. We did not know until after the building was built and issued a certificate of occupancy, who the other tenants be. When they came together, flooding variance from you, we did not know at that time who the other tenants would be until afterwards. >> Kitchen: The original thinking about ability to use transit or other ways to get to work or need to be at work. Was actually something that was

[12:07:30 PM]

understood for this building but as it resulted, there were different tenants that released to. So, that's what I was trying to understand. >> Correct. >> Kitchen: Okay. Thank you. >> Mayor Adler: All right. Let's go ahead and go to citizen communications. I'm sorry. >> I'm signed up to speak as well mayor. >> Mayor Adler: All right. Come up, and then we'll go to citizen communication. >> I have questions for the an cant. >> Mayor Adler: In fairness I think I should give him an opportunity to speak before we break for executive session. >> Hon yabl mayor, council members, thank you for giving me the opportunity speak with you. Wanted to say council member kitchen asked a couple questions and council member pool also mentioned a couple of items. I wanted to -- there are three things, as a building owner, I can speak with the knowledge that I have about the building. There are three things that happen in the building from the

[12:08:31 PM]

day council approved the variances, number one, we came here and cut down the building's square footage in the third floor by half. And that was to make sure there was no adverse impact, and that was primarily to make sure that everybody was in agreement and staff was in agreement also, and staff actually recommended the variance the second time when we came here, primarily because we were able to cut the building square footage on the third floor by half. From the time we projected the building to the time we built it because the efficiency has gone away with office space gone and thank god we built a smaller building with the offices, otherwise we would have a larger problem today, the cost of the construction, also during that time, went up significantly. We were facing a 30 percent budget increase for that entire building. That's when, at that time, we decided we needed to get at least, you know, two tenants in

[12:09:32 PM]

the building, rather than us, and somebody else that we were originally planning for. So, we ended up getting two tenants in the building. And from the time the variance got approved, our group also has expanded. We're proud to say that we're building affordable multi family housing in the city, and we're

building workforce housing and building what we call, as mostly housing that came to 80 percent, or 100mfi folks. We have several apartment buildings that have 60 percent mfi tenants. So, we're proud of the work we do. So, between retail connection and our building, we have to make those project site visits and that's what really happened, what changed. We thought we could manage with the second and third floor parking. We didn't have the first floor parking striped for a long time and when we expanded in the retail building, retail tenant

[12:10:34 PM]

came on board, they started -- ran out of parking spaces. So, all we are saying is, these 25 tenants or 25 parking spaces in the first floor are not going away, even if council does not approve it, we have to park on the streets. These people, I have to make arrangements for them to park on the street, or somewhere nearby. And we are going to be contracting with goodwill, who has surface lots, and we will be probably using, a few of their spots, and so on and sorting forth. So it definitely put ace hardship on our business, and we really -- thank you for considering this, and helping us to move forward. >> Mayor Adler: Thank you. >> Thank you. >> Mayor Adler: All right we'll go to citizens communication. Is Jesse Millner here? What about Alan Roddey?

[12:11:39 PM]

Is Ted gault here? Come down here, you'll be next. Go ahead, you have three minutes. >> Ready? >> Good afternoon I'm Alan Roddy, I've been a proud austinite for 60 years and my family has been on lake Austin since 1963. A few years ago a saw a boat hit a paddle boarder not far from the shore line. Most people under it's a privilege to be on the lake not a right. If somebody's not willing to respect the rules or other boaters the lake patrol is to escort the boater off the lake or correct their behavior. That's how it is supposed to be managed. Lake Austin is not a water park. It's been several years since lake Austin task force told you we have serious problems on the lake. Unfortunately nothing has been done to protect the lake or boaters. You can see the shore line

[12:12:41 PM]

emotion with trees talling in the lake but what you don't see is river bed being reroded because of the large waves. The river bed is altered and all of the structures in the lake are being damaged by the hazardous wakes. The lake is too farrow and shallow to with stand power of large waves. The city is responsible to protect the whole 21 miles of lake Austin not just two small Arias. The reason task force didn't create wake Zones because they don't some the problem of the big waves and don't protect the whole 21 miles if they enforce the 3 miles in hand outyou won't waste money on buoys. The reason to correct it they give the illusion something is being done when nothing is being done. The city is

responsible of protecting 21 miles. You told everybody you have no plans of protecting the whole lake or protecting the boaters or river bed or boat docks. Since the city is unable or

[12:13:43 PM]

unwilling to enforce the water loss and protect the lake itself it's time have lcra take control of lake Austin and manage the lake like a professional organization. By not protecting the 21 miles of lake Austin the city advocated your responsibilities. Lcra has the resources and professionalism to manage lake Austin like it should be. Lcra should manage all six Lakes. Thank you. Any yeses? >> Mayor Adler: Thank >> Mayor Adler: Thank you. Mr. Gault, why don't you come on up. Is Bonnie Cahill here? No? What about Mary Malagon? Come on down. >> Mayor Adler, fellow council members, I've been before council four times on graffiti issues. We know there's an end, vandalism

[12:14:43 PM]

going on. I spoke with my local district rep, Leslie pool. I'm in your district. I'm dealing with officer Chapman in that area, and he asked me to speak in front of council here to request direct patrols around Mccallum high school. I personally have arrested citizens arrest, an individual at the creek, they arrested him and they have a report on that as well, so I know it's coming from the school there. I tried to get cooperation from the school. The officer refused to cooperate and do anything. The principal refused to cooperate on that so the officer asked me to come and address it in that area. I'm also requesting that you guys look at me as an individual through experience, over 40 years, I'm from Santa Monica. You've obviously seen some of the issues going on with the mayor's issue with graffiti and homelessness in California. I am a big advocate, I have a passion and drive. I hope you guys could look at me as someone that could lead the

[12:15:44 PM]

graffiti task force, which obviously is going in the wrong direction. I've made many contacts, I feel I'm a vital asset to the city to make a big change. I've erased over 200 graffiti tags in that area. That's graffiti. Number two, trash and littering in the city right now is appalling right now. I see people throwing stuff out the window, trash is grateful right now. If we can work with the city, different departments that, you know, do trash pickup and all that, just try and address some of those issues. I'd like to work with council in helping with trash issues and littering. Third, homelessness, common sense, we seem to be enabling bad behavior. There's issues on the street that I gave to you, I'm dealing with property owners like Joe Mcallister who is fed up with things going on, signs being grade, homeless camping out. The article 45 hasn't improved the quality of life, it's only made it worse and right now the

[12:16:45 PM]

problem with safety, my girlfriend seeing homeless people attracting us, really needs to be looked at again, and these policies are really a health and safety issue right now, and I really hope that council sees some of the issues going on with the homeless and we can have common sense solutions on there. I'm compassionate, I see people -- I'm not judge mental, but when we see the trash and disrespect and justify, burning right in front of your footsteps, I have some good ideas and solutions, I'd like to work with council in certain areas, I think the contacts I've made and relationships I've made with public and city officials, I think I can really help out and make a change. If you guys -- my phone number is on the bottom there. [Buzzer sounding] Spencer, please contact me. I'd like to make some changes for the city. I think I can be really helpful. Thank you. >> Mayor Adler: Is Owen Shroyer

[12:17:47 PM]

here? >> Present. >> Mayor Adler: Why don't you come on down. Ma'am, you have three minutes. >> Okay. My name is Mary Malagon. I'm from Austin. I was born in Austin. I've lived here my whole life and worked my whole life and I'm homeless now. I worked my whole life just to become homeless. I don't do drugs. I've never owned a gun. The only knife I've ever owned is a kitchen knife. I can't get a home because the rents are so expensive. The affordable housing that everybody talks about is outside of Austin. I don't think I should have to live outside of Austin for this. The homeless camp out in montopolis is just -- that's even worse, a little -- no hot water. I'm 64 years old. I couldn't even imagine taking a shower in the cold water. I don't understand why this is happening. I really don't. I mean, everything's changed. Every -- and not for the best. Nothing is happening. I see so many people being disrespected, people -- if I'm

[12:18:47 PM]

carrying a bag, I'm not -- people look at me like trash, pretty much. And I think that's really wrong. It's appalling. It's not -- they call it affordable east Austin? East Austin is not even affordable anymore. It's not even east Austin anymore. Go to montopolis, there you see what really -- what used to be east Austin, and no telling how long that's going to last. I don't know what's going to happen. I don't know how y'all can fix this problem. I don't litter. I don't do any of that, but I am looked at as if I do. I stay in a place that y'all donated a million dollars. There's no soap. Half the time there's no toilet paper or hand towels. I stay at the salvation army. And what happened there? Y'all just throw the dog a Boone bone and be happy? That's not right. Nobody overseas sees nothing. Even the janitors can get after people. I always obey the

rules, so I don't have problems, but I believe in equality, I believe people should be treated with dignity and respect. I never expected this to happen to me

[12:19:51 PM]

.but situations happened. and there I am. and I'm treated just the same. I always thought that, too, I thought everybody was -- didn't do anything; that's why they're there. but now I see that's not true. you lose your job and you can be homeless. and I've always said that. well, it happened to me. and I don't understand what the deal is. you know, I don't see people helping. and the help, just give somebody something, that's not the answer. there's nothing done, nothing -- people are just allowed to do -- here, have this and you be happy. that is not right. People should have to earn what they get. and I don't see it. I see it as, here, you just take this and be happy, but that runs out, and then here it is again, the same problem again. I -- you know, what can you do? what can be done? I don't see it. I don't see it. I see people handing out things all the time, and here we have the same issues. people are coming from out of town. they come to Austin. you know what

[12:20:52 PM]

I hear? Austin's the best town to be homeless in. [buzzer sounding] it's a shame, it's a shame the way Austin has done this city. [applause] very bad. p>> Mayor Adler: Thank you. Mr. Shroyer, why don't you come on up. is Cindi Reid here? why don't you come on down. go ahead, sir. >> When I moved to this city four years ago, it was nationally known as one of the best places to live and one of the best places to work. it has been quickly sliding down under this mayor, your watch, Steve, and this city council's watch. and you just heard the last speaker. you guys continue to bring up the homelessness issue. but last summer, when you guys changed that ordinance, you enabled a problem that had already been getting worse in this city, and you guys know what's going on. Everybody knows what's good on. they've been busing homeless people in from Dallas, from Houston, from San Antonio, that's why that lady from Austin can't find a place to live or

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anyplace to have affordable rent. and so you guys are enabling this issue. you know why people sleep in the streets outside of the arch? Because they want to do drugs at night but, mayor Adler, you claim they're not doing drugs. I've talked to these people. I've gone out if the into the woods where they build little homeless camps. They take huge bags of trash, go through them and leave them

there. This is some of the pollution we're not dealing with. Obviously the whole city is sick of this issue. I have friends who are homeless. There's a way to deal with it. We're enabling it. You had a stabbing entry. Who did it? Homeless people. You have children afraid to go downtown, citizens afraid to go downtown, business owners complaining about what goes on outside of their private businesses, and this city council and this mayor have only made it worse. I'm glad the city manager Spencer Cronk is here. There's another issue I've noticed. What is going on with infrastructure in this town? If you look at one example, 183

[12:22:56 PM]

by the airport, we've had construction going on the whole time I've been here. Nothing completed. Traffic gets worse. We've got a tech boom in this city. Apple is creating jobs, Google, jobs are coming in, people coming in, we're building housing units in the same ten-mile radius, the infrastructure is getting worse. It's crumbling, the roads are crumbling, we're not completing any construction. Half the time 35 is shut down for construction. All I see is pylons and equipment costing the city. Who are we renting from? Is this a money raise your right hand operation? It's getting out of control I'm just curious why this city council is ignoring the entire city of Austin who wants a serious address. Homelessness issue which you guys have been claiming to do. Mayor Adler, I saw you last summer at a town hall, remember when I blew up saying it's only getting worse with rhetoric like this? Here it is, only getting worse, more people are complaining about it. If we continue to see a jobs boom in Austin, take a serious look at

[12:23:59 PM]

our infrastructure. Why aren't we completing construction on I-35 or construction by the airport? Austin, Texas is going to be like Los Angeles, California and San Francisco, California, with epic homelessness and epic traffic if we don't do something about it now. And Greg says, oh, you obviously have some political aspirations in your future. I saw you at the Bernie Sanders rally. What are you going to run on? Failure as a city council member of Austin? I'm sure I'll see you in a couple months when you refuse to dress these issues. >> Mayor Adler: The next speaker is Cindi Reid. Is Cassidy Beckham here? Cassidy Beckham? What about Silver White Mountain? Why don't you come on down, you'll be next. Go ahead. You have three minutes. >> Okay. I'm here today to speak on behalf of the hollow in district 4 regarding the land development code. In district 4 there was only one town hall and all other forms of communication were disseminated

[12:25:00 PM]

through neighborhood association. Like many working class neighborhoods, we do not have one. There should have been other ways to engage the community early by posting? Libraries and supermarkets.

Only on the web leaves out people out internet access. Even people who would use their smartphones are disadvantaged because the man doesn't download properly. People are excluded like in my community where there's large numbers of Spanish and Vietnamese speakers. There was a meeting with 50 people in attendants and no one knew about the proposed change. We were not informed and if not for my work over the last three weeks, we would be in the dark. We are in a transition zonings highly susceptible to gentrification, and the last year the median home price increased about 33%. That's about \$100,000, and developers have come in flipping houses and the demographics have already started to shift, skewing more height, young, and affluent.

[12:26:02 PM]

I was told to wait. We do not want government pittance. We want to stay in our homes, community that we've worked very hard to build. We are wonderfully diverse, an inclusive working class neighborhood, comprised. Blacks, Vietnamese, Indian, Chinese, family, old, young, gay, straight, homeowners, renters, we have the diversity Austin touts but you rarely see. My family lived in quell hollow 30 years. They did not finish high school, scraped up enough to buy their home. A man who came to the meeting on mondasaid this would be a nail in his coffin. He worked at the local H-E-B and bought his home. On a fixed income, worked in our community, to make that their forever home. The man across the street works as a mechanic and his home is zoned r4. He won't be able to stay and afford the taxes. They tell us they have to go by

[12:27:03 PM]

the uprooted report. The writers of the report says it has limitations, it splits our neighborhood into two sections. We're vulnerable and will be displaced because of this misclassification. How can you take a federal view on a city neighborhood issue and solely follow generalized data without considering community input? Three of the largest recommendations in your report are put voices of the vulnerable populations at the center of change. We voice our concerns and we were ignored. Intervene early. We're trying to be proactive now, but if you wait for tear downs, it's too late. Match strategies to neighborhood conditions. The report is static, it doesn't include two external market forces, the domain and the soccer stadium, which we are the closest in the city of Austin too. The city projects are also feeling gentrification and add a unique component that should be considered buzz busy Austin is growing. We need fair and respectable communities. I was told by a staff member we can't make changes at this point, it's too late into the game. We can't just carve out why are neighborhood to make a special

[12:28:04 PM]

exception. What's the point of calling this -- >> Mayor Adler: You can go ahead and finish your -- >> If you wanted to make changes after an arbitrary date or community input? How was this fair when we were never engaged early on? S 1 thank you. 1. >> Mayor Adler: Thank you. >> We're not asking for special treatment or exception, we're asking for equity. >> Kitchen: May I ask a question? Ms. Reid? If you could just reach out to all the council offices and share your concerns with us in an email, that would be helpful. >> I've shared many emails that Greg Casar already has. >> Kitchen: I'm asking you to share them with the rest of council. >> I will. And I have my community members with me today. Many were working and unable to attend. Thank you, Mr. Casar. We were supposed a -- to have a meeting on money, but because of the coronavirus, people were very fearful. That will leave out vulnerable

[12:29:04 PM]

populations that want to come down to city hall that may not be able to because of this virus more than doubling every day. Thank you. >> Mayor Adler: Thank you. [Applause] >> Mayor Adler: Is Larry Woodall here? Why don't you come on down. And silver white mournings you have three minutes. Mountain, you have three minutes. >> Excuse me for rupturing in mensa meeting. Glad I signed up. Some of you think I'm just an old lady and I don't know what I'm talking about, that I have a little dementia. Where am I? Where did I park my car? I feel the time has come for Austin to be a no right on red city. In Texas, actually it's nationwide. It's okay to turn right on red as long as you stop at the correct place before turning right on red and remember to pay attention. Nowadays pedestrians often don't pay attention. They're talking or texting while crossing. Some drivers are not respecting the law by coming to a complete stop. They're not being courteous. I've observed a very high percentage of drivers that don't

[12:30:06 PM]

even slow down. They just take the turn when they see the red light. They see it as a suggestion. This law has outgrown its usefulness, at least in Austin. No right on red signs are going up all over downtown and the extended Austin area. It costs money for signs and there's the man-hours to put up those signs. Maybe research was also conducted, I don't know. I feel it needs to be phased out completely at all major intersections, excluding neighborhood streets. Until this happens, A.P.D. Needs to be more observant in giving citations because it is out of control, at least in Austin it is. There's no law that says you must turn right on red. In most cases, and in every state, you may, but you don't have to. You are completely within your legal right to wait until it is green, even if it is deserted. The person turning right on red may not do so if it affects traffic with a green light. Drivers don't know or have forgotten this. You must stop before turning

[12:31:07 PM]

right on red. This must be done. The marked limit line or no limit line before entering the crosswalk or no crosswalk before entering the intersection. This has been on the law book since 1978. Let me pull a you know. Who transportation code 5004.007. , It is okay to turn right on red in Texas as long as you 1207 at the correct place before turning and remember to pay attention to the specific no right on red. Emperor turn at a red light ticket, vc 20453. You can also be guilty of violating if you make a right turn on red at an intersectio

[12:32:11 PM]

N. Let's see what else I find in here. I called 311 but they haven't returned my call. In, the drivers are allowed to turn -- [buzzer sounding] -- Thank you. >> Mayor Adler: Thank you. Mr. Woodall, you have three minutes. >> Yes. Howl. I'm Larry Woodall, and my subject is the Austin commuting. Austin, Texas is a city thriving with growth and prosperity, yet in comparison with other major modern cities, not only the United States but also the world, we are behind in the times. If you have driven in rush hour traffic, I'm quite sure you know what I'm talking about. You can go to the internet and you can type in the subject of modern-day commuting in major cities and read several topics on this subject. Austin does not even have a subway or a train. By the time we get either one of

[12:33:13 PM]

those in full swing, other types of commuting and transportation will likely already been in effect in other cities, Tokyo, Shanghai, New York, Los Angeles. Companies are already working on flying cars. There's three different companies. In the not so distant future, people will be taking taxis to work from park & rides. President Theodore Roosevelt said, there are three different types of decisions that could be made, the right decision, the wrong decision, and no decision. Of those three, the last one is the worst one. I envision the day when the city of Austin has the necessary subways we should already be laying plans for, bullet trains above our main roads. One day flying taxis will drop off people at their place of employment, pick them I hope and take them safely home. The technology is already there. We need to start thinking about the routes and unforeseen.

[12:34:15 PM]

In conclusion, I was with the United States Navy, I was at the navel base outside of Norfolk, Virginia, I have an honorable discharge. It is my understanding that my future spouse, silver white mountain, desires to have a national military plot to be about buried in, so I want, to know, silver, will you marry me? >> It's a strong probability. >> Okay. All right. And thank you very much for listening. >> Mayor Adler: Well, that was special. >> I know. [Laughter] >> Mayor Adler: All right. It is 12:34. We're going to go to closed session and take up three items pursuant to 551.074, we're going to take up and discuss

personnel matters related to item 52, 53, and 54, performance -- >> [Off mic] >> Mayor Adler: Thank you very

[12:35:15 PM]

much. Thank you very much for being with us. Items 52, 53, and 54, performance, compensation, benefits for city clerk, city auditor, and municipal clerk. Without objection, we'll now go into executive session. It is 12:35

[3:07:27 PM]

] Garza: We are back in open session. Executive session we took up items 52, 53, 54. It's my understanding item 47, there's a request for postponement. What is the -- until April 23rd, is that right? >> [Inaudible - no mic]. >> Garza: Go ahead, try now. >> Good afternoon, councilmembers. Mayor pro tem, yes, we would like a postponement to April the third to give us an opportunity to reassess given some of the questions or comments you raised this morning. >> Garza: Okay. Thank you for that. So if there's no objection, that will be postponed until April 23rd. I think zoning consent is next. >> Good afternoon, councilmembers, Jerry rusthoven with the planning and zoning department. Our consent zoning agenda for today is item 58,

[3:08:28 PM]

c-14-2019-0163, I can offer this case for consent approval on second and three readings. Item 59 is case c-14-2019- c-14-2019-08156, also for consent approval on second and three readings. I understand on item 60 councilmember Flannigan would like to discuss this item. Item 61 is a staff postponement to April 23rd April 23rd item 62 is case c-14-2019-0 # on 3. This is also a staff postponement request to April 23rd. Item 63 is also a staff postponement request to April 23rd. Item scary is case c-14-2019-0103, an indefinite postponement request by the applicant. Item 65 is case c-14-2019-01008. This is a postponement request by staff to may 7th, 2020. Item number 66 is a discussion case.

[3:09:31 PM]

Related item 67 is also a discussion case. Item 68 is is offered for consent on first reading. Item 69 is case c-14-2019- c-14-2019-0145, staff can offer this case for consent approval on all three readings. Item 70 is a discussion case. We have a speaker. Item 71 is also a discussion case. We have a speaker. Item 72 is

case c-14-2019-138. On this one I would like to note that on the dais I've handed out an ordinance. We decided earlier to take a different approach to this one so what we would do with this is say that with this item we are amending zoning ordinance number 00214-114 to state if the property enters into an [indiscernible] The ordinance does not apply. It states that the property has already allowed it to go

[3:10:32 PM]

to 10-1 F.A.R. This would allow the developer to participate in the density bonus program so they would have a choice to build right now under what they have today up to 10 to 1 or they could do a density bonus program up to 15 to one, but they would have to start the density bonus program at the level of eight to one and work their way up from there. The next one is item number 72 -- I'm sorry. Item 73 is case c-14-20190165. This is a postponement request by the applicant to April 23rd. That concludes the consent zoning. >> Garza: So the discussion ones I have are 50, 66, 77, 71. >> I've got 60, 66, 67, 70 and 71. >> Garza: It was 60. I said 50.

[3:11:33 PM]

And -- sorry. 60, 66, 67, 70 and 71. >> That's correct. >> Garza: And I don't think there are speakers on any of those. 67 -- oh, we're -- on any of the other 911 ones? And I'll entertain a motion for the consent zoning? Moved by councilmember Flannigan, seconded by councilmember Casar. All those in favor of the consent zoning raise your hand? All those opposed? Were you a yes, Pio? >> That's to close the public hearing as well. >> And to close the public hearings. 9 for of those on the dais. The mayor and councilmember harper-madison are off the dais. I think that's everyone. So go ahead and start with 60. Or -- hang on a second.

[3:12:36 PM]

>> Item 60 is case C 814-2018-0154, the Austin green pud. The requested zoning is from district zoning to pud P I from councilmember Flannigan. >> I thought it was wired we might move forward on first reading without starting a conversation, but I'm fine to do that. More specifically this is in -- Jerry, correct me if I'm wrong, this is currently in limited purpose? This site is currently in limited purpose zoning? >> It would be in limited purpose in April once we work on -- the city council has already consented to the creation of the mud with conditions. One of the conditions is that we have to dod pud, which is what was on first reading today. We would have to follow up with the spa, the strategic partnership agreement related to the mud. And the limited purpose annexations next month. >> So the concern that I

[3:13:37 PM]

have that I hope we can find a conclusion for is that we are talking some process to full purpose annexation both for the tax base and the tax revenues, but also the services that are going to be provided, and my understanding is there is provision in the pud for a library and fire station and some other things. And my hope is that we can find a path approximate even under the new state annexation law that can guarantee that full purpose annexation in the future. That's my only concern. >> Garza: Okay. Councilmember alter. >> I have some outstanding questions that I wasn't able to get answered. I don't know that any of them merit holding it up on first reading, but I just did want to signal that I have some questions about how certain elements of this are structured that we will work to get clarified, but was not able to resolve those before we got to this

[3:14:39 PM]

today. So I may have some amendments or other things in future meetings. >> >> Garza: Does anybody want to move approval of 60 on first reading? Moved by councilmember kitchen. >> Councilmembers, if I may request, are you moving planning commission recommendation, staff recommendation or a hybrid of those two? >> Garza: I believe it was a hybrid. >> So my understanding is the one possible action today would have been to approve the item with the planning commission recommendation, but with the exception that the height would be at 180 as opposed to the 200 that the planning commission recommended. 180 is what the request was. The staff recommended 120. >> Garza: That's correct. >> So one way to do it would be to move planning commission recommendation but to change the height from 200 to 180 and another point of disagreement between the staff and planning commission, was to propose a site plan for seven years. Staff recommended five, but my understanding is that the

[3:15:40 PM]

desire was to allow the seven years so it would be planning commission recommendation with 180 feet and seven year site plan life. >> Garza: I might have to make the motion because -- I'm going to hand the chair to councilmember tovo. >> Tovo: I'll entertain a motion on this, mayor pro tem Garza. >> Garza: Okay. The hybrid version with what you just said. [Laughter]. >> So it's 180 height, planning commission recommendation, and with a seven year site plan. >> Tovo: Is there a second to that? >> Kitchen: Can you repeat that? >> The motion would be for planning commission recommendation, but the planning commission on two issues, just two issues that there was a disagreement between the staff recommendation and the PC recommendation, one was the height. The staff requested 120, planning commission wanted

[3:16:41 PM]

180 and the applicant was requesting. And the site plan was for seven years. >> Tovo: Is there a second? Councilmember Casar. Councilmember Flannigan. >> Flannigan: Yeah. So I'm a little surprised that there's this level of complexity in the original motion since we're not getting the presentation by the applicant and we're not hearing all of the details and so I'm going to vote no today because I'm uncomfortable with the way that first reading is proceeding because I have found in the past that when we do stuff on first reading it signals agreement. I don't have a lot of substantive issues with the pud overall but I'm starting to get uncomfortable with the process. >> Tovo: Councilmember alter. >> Alter: Can you explain? I missed why we were not hearing the presentation. >> The item would have been on consent. There's no speakers. Councilmember Flannigan just pulled it because he wanted to speak to the annexation issues that he spoke of. >> Tovo: Councilmember Flannigan, did you want to

[3:17:42 PM]

hear the full presentation? >> I don't know if there are the votes to proceed on first reading I don't need to delay today's meeting to do that. >> Alter: I do have a question at least. I'm going to need to see the presentation on second reading and I agree with councilmember Flannigan that it feels a little odd to me. >> We could do the full presentation at second reading if you would like. >> Alter: I think that would be good. Can you explain the difference why the staff recommended a much lower height? >> This area, this is at Colorado river and highway 130. We recommended the additional height because of -- as part of the superiority package they were offering stuff to the city, mostly in the form of environmental remediation. So we felt an additional height was an entitlement that we could grant in that case because of those superiority items that they were doing. We felt, though, that 120, which is kind of a standard height within the city, it's

[3:18:43 PM]

the height allowed in D.M.U. And it's the height we've allowed in some other pud was enough and we didn't see the need to go up to 180 and we don't know why the planning commission took it to 20 feet beyond that. >> Alter: How many floors is 120? >> It really depends. It's not as much as it used to be because people are doing taller floor plates these days. You would consider 120 to be a 10 story building. Maybe these days an eight or nine story building. >> Alter: And this is in a subsection of the pud? >> Yes, just a portion. >> Alter: Okay. Thank you. >> Tovo: Anyone else? Any other discussion? Okay. All those in favor say aye on first reading only? That is councilmembers Renteria, kitchen, councilmember Casar. >> I'm abstaining.

[3:19:45 PM]

>> Tovo: Councilmember Garza, councilmember Ellis and tovo. So that is six, so that is enough to pass it. And any opposed? Councilmember Flannigan opposed. Any abstentions? Councilmembers alter and pool. Mayor Adler and councilmember harper-madison are off the dais. >> Garza: Thank you, councilmember tovo. We're actually going to move to the 49 and 50 just to get those quickly out of the way before we go to the remaining zoning cases. >> Good afternoon, mayor pro tem, council, Mandy de mayo, neighborhood housing and community development. Item 49 is to conduct a public hearing and consider a resolution for an application for tax credits by grand avenue flats. And this is a 275 unit affordable housing development, one to four bedroom units all at 60% or below median family income. It is located in the etj. I understand that there is

[3:20:46 PM]

one, maybe two folks signed up to speak. And we do have the applicant here should you have any questions. >> Garza: Looks like there's one on -- this is 49, right? Mr. Pena, is Mr. Pena here? I don't have any more speakers. It's moved by councilmember pool. Is there a second? Second by councilmember Flannigan. All those in favor of 49 raise your hand? All those opposed? It passes 9 of those on the dais with the mayor and councilmember harper-madison off the dais. 50? >> Number 50 is similarly to conduct a public hearing and consider a resolution of no objection for an application for tax credits. This is onion creek limited partners or an affiliated entity. This is 264 units of affordable housing, one to three bedrooms.

[3:21:47 PM]

And the project includes 30% to 80% median family income, so mixed income all below market. And this is located in district 5. >> Garza: There's one person signed up. It's again, Mr. Pena. Is Mr. Pena here? Gus Pena? I'll entertain a motion for item 50. Motion by councilmember kitchen, seconded by councilmember Renteria. All those in favor raise your hand? All those opposed? Councilmember alter, are you in favor? Okay. Nine yes of those on the dais and the mayor and councilmember harper-madison off the dais. Thank you. >> Thank you. >> Garza: The next zoning -- I guess we'll gandy take up 48, 56 and 57ment are the airport folks here? >> Councilmembers, Jerry

[3:22:48 PM]

rusthoven again. Item 48 is a code amendment related to the airport, the 803 overlay and item 66 is a neighborhood plan amendment for a property located at 1601 airports commons drive and number 67 is the related zoning case. So we'll go ahead and have the airport folks make the presentation on the code amendment, along with mark Walters. >> Good afternoon, Shane what arebinson with the aviation department. I will be speaking on the airport overlay Zones. We also have a partner presentation with

mark walkers with the plan and zoning department. The airport overlay Zones, one is the noise around airports and the lack of a buffer zone from what is designated as non-compatible land uses and what is per federal guidelines as fully

[3:23:51 PM]

compatible for noise development, which is the 65 contour line. When they moved Robert Mueller airport to Bergstrom, Robert Mueller had about 30,000 people that were affected by the noise contour line so when they were doing the noise studies, the citizens advisory committee and the technical advisory committee wanted to put a buffer zone to protect the investment made to build the new Austin Bergstrom airport. So that was the primary purpose was to protect the ability for the airport to grow knowing that the noise contour lines are going to grow over time. Mark is going to give an overview of the ordinance and the proposed amendments and then I'll come up and give a little technical of the airport and the growth of the airport. Thanks. >> Good afternoon, council. Mark Walters with the planning and zoning department. And I'd like to go over the proposed amendments to the airport overlay.

[3:24:53 PM]

There's two, and one would remove the code provision that allows residential uses in areas with recorded final plat dated on or before August 20th of 2001. The other one is to remove the code provision that allows residential uses in the a 03 zone within areas within existing neighborhood plan combining district that was adopted before December 31st, 2001. Shane kind of went over what the purpose is, but doing some research for this amendment I found a staff report from 2003 that I think sums up what the purpose of the airport overlay is to protect the public investment in the airport by acknowledging its need to expand and protecting the community from the adverse health effects, welfare and safety affects created by airports. Other parts of the code have zoning definitions, but no -- but I thought this really summed up the purpose of the airport overlay. And what does -- how does it do that?

[3:25:54 PM]

Well, it's -- when you have an airport, Texas local government code and the F.A.A. Regulations set forth things to do to control for hazards around airport. And this, the airport overlay defines the hazards, hazards,. Describes what compatible and incompatible land uses are. Also speaks to visual hazards such as glare, lighting, etcetera. And establishes regulations for conformance and nonconformance of natural objects as well as structures. Residential uses -- there are three provisions for residential uses within the ao 3 zone. The the first two I mentioned the recorded plat is located under a mud that was

adopted before August 20th, 2001, as well as one that was adopted before new year's eve of 2001. Also in the code there are reduction measures for hotels that speak to the

[3:26:55 PM]

difference between the ambient noise outside and the reduction that has to be inside. So let's say you have an 85-decibel ambient noise level outside. The hotel has to be 25-decibels below that. I'll go into what really what does a decibel mean when you say 80, 20, so forth, later on in the presentation. The montopolis neighborhood plan was adopted concurrently with the development of the airport overlay. It was adopted a month after council took action to adopt the airport overlay, but even while the development of the plan said that the stuff where the airplanes would be coming in, landing and taking off and along 183, were really appropriate for commercial and industrial uses. So in the future land use map they went to great pains to say that in these areas covered by the airport overlay, 503 zone, we're going to say in the future we want -- we don't want residential uses, we want commercial. So in the plan it does kind of establish that.

[3:27:55 PM]

A little bit of background, between 1997 and 2014, the aviation department real estate services and the federal aviation administration completed the airport noise mitigation program. It cost \$90 million, which was the F.A.A. Contributed 75% of that. And as a result of that study and those efforts it relocated 429 households, almost 1100 people, 14 businesses and four schools out of the high impact noise area surrounding the airport. And a little bit of background, due west of the airport, across 183 is the southeast combined neighborhood plan, which has several combining districts that were adopted in 2002, and no residential uses were allowed in that portion of the ao 3. It's only in the montopolis planning district that those residential uses are allowed. You can sigh the yellow

[3:28:56 PM]

squares indicate two neighborhoods that were built proximate to the area but outside of the ao 3 zone because they weren't allowed to build in the ao 3. A little bit of background, there's been three zoning cases since the adoption of the airport overlay in 2001, and planning and aviation staff have opposed all these requests. The first one was back in 2001. It was a zoning case for residential that had land in both the ao 2 and ao 3 Zones and the steiner tract rezoning area in the ao 3 zone back in 2003, part was in, part was out. The applicant withdrew the one that was in the ao 3 zone and today we have airport commerce drive. And the airport overlay has Zones based on the yearly day-night average sounds and for ao 3 the zone requires a yearly day-night average sounds of less than 65 decibels. So how loud is that? Here's a little -- what a

[3:29:58 PM]

decibel is. Each 10-decibel increase is a 10 fold intensity, which we perceive as twice as loud. So 80 is decibels are device as loud as 70. So you get a sense of what these are with the CDC saying that extended and prolonged exposure to 80, 85-decibels can cause hearing. And a jet air plane taking off about a thousand meters away, thousand feet away, 300-meters away, is about 100-decibels give or take, depending on the type of airplane that it is. I'll hand it over to Sean to go over the more technical aspects of this ordinance. >> This is just going to go over a little background of the airport. The airport itself is an economic generator. It's a little over seven billion dollars a year for the Austin region.

[3:30:58 PM]

And putting constraints on the airport to no grow really limits the positive economic impacts that can be derived from the airport. So it's important to have the buffer Zones to allow it to continue to be an economic generator. Currently we have about 59 nonstop destinations. We really serve 21 counties, so it's not just Austin, but it's neighbors, Round Rock, new braunfels, San Marcos, etcetera, all use the airport as its primary air service. We're also expanding our services to more international destinations, Amsterdam we'll hopeful will be starting here in may, and we have even potential to have more investment from the airlines. So with our 12,250-foot runway we have the capacity to get into Asia nonstop with the right type of lift or right type of aircraft, so he easily we can get -- so easily we can get into there. And then all of Europe and

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all of South America as well. So there's a lot of potential for the airport to continue to grow and be really the international airport for central Texas, which includes San Antonio. San Antonio's longest runway is a little over 8,000 feet, so their potential for this type of international range is limited or constrained. So we're going through a major expansion program. We're estimating to be about 30 million annual passengers, so really doubling the size of the airport within the next 10 years. This is just a draft rendering, but it shows that there's going to be significant investment made into the airport in the next 10 years. That's based off of our growth because there are potential nonstops, but continue the growth, we've had strong historical growth and we forecast to have very strong growth within the next 20 years. So even though we'll hit 20 or 30 million probably around 2030, we even have the potential around 2040 to

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be probably close to 40 million map. That's based off of when you have more and more passengers you have to have more aircraft operations. So typically we have about 210,000 aircraft operations in 2018. We're forecasting to be just a little under 300,000 operations in 2037. And a lot of it is based off of these elements of where we're going to be able to continue to add capacity to the airport. A lot of it as well is cargo. Cargo is an unmet really demand where we have a lot of potential to go even beyond our 21 county area and really get into the south Texas area. And with the emergence of ecommerce and next day delivery, that airports around are really looking at the commercial of more and more cargo activity and also combining domestic or passenger aircraft with cargo aircraft. So this is the flight that goes to London. There's a lot of cargo activity that occurs within

[3:34:01 PM]

that belly of the plane. So we have a potential with an Asian flight to actually have a lot of g-9ing that with cargo activity as well, be domestic and cargo. So there's a lot of potential for cargo to be an economic generator. How we're operating for noise, really have two runways. And when we do set up the runway headings, how aircraft operate is, to give you an example, they fly into -- they depart or land into the wind. So if you can imagine if an aircraft is going to rotate or create lift and the ground speed is 100 miles an hour it takes to get that lift, if you have a 10-mile head wind then that aircraft only has to be going about 90 miles per hour. But if you had a tail wind it would have to be going 120 miles per hour to get the tail lift. So land and part is into the -- depart is into the wind. So we're in a configuration of a south flow 75% of the

[3:35:03 PM]

time where aircraft depart to the south and the north flow about 25% of the time. The noise contour lines there's a percentage of assignments made to those runway headings so we pretty much have almost a 50/50 type of scenario of use of those runways, but we know on the east runway we have a lot of G 8 aircraft because the facilities are located next to this runway, but the long 1 runway, that is used by our cargo carriers because it's a little bit bigger aircraft and then our long haul aircraft as well use the longer runway. Here's the potential for the airport. If we plan it and build it properly over the next let's say 50, 60 years. We think we can get about 80 million annual passengers out of that airport. If we methodically build and maximize the real estate of the airport. This configuration is just

[3:36:03 PM]

showing the blue as concourses. On your far left is the existing Barbara Jordan terminal. The one going to the right would be what we're building hopefully in the next six, seven years, but also shows that we have real estate to continue that methodology of adding concourses to our property. It's a similar layout you see with Atlanta Hartsfield, it maximizes the site and allows the capacity of the airport to grow. So it's important for us to have compatible land uses outside the fence to preserve the ability inside the fence to plan and build it properly. With that getting into -- we're getting well above 40, 50 million in annual passengers we think we'll need a third runway. That runway sliding it in there in the red, we just finished a master plan update. Some of you are aware that we knew we needed a runway,

[3:37:04 PM]

but where do you put it? We looked at it trying to sneak it between 973 and the existing east runway. The topography in onion creek didn't allow that. And also maybe going even further east of 973 but that disrupts a lot of existing neighborhoods there. We also looked at putting it west of 183 and again that disrupts a lot of the neighborhoods. So one of the least disruptive locations was to keep it on airport property and about a thousand feet center line to center line to our west runway. With that, before we do that we'll have to do a whole other noise study where it's usually about a year and a half process where you have technical advisory committee, a citizens advisory committee and you go through a process of looking at ways of doing noise abatement, looking at your fleet mix, looking at that noise profile of those individual aircraft and then signing a percentage of uses. We would go through the same process of trying to avoid

[3:38:07 PM]

flying where we can, but ultimately long-term is we're going to have 300, maybe more than 400,000, maybe 400,000 operations, and in this ultimate buildout it could be close to five to six hundred thousand operations that could be occurring. So noise is going to be generated out of this site. So we're thinking long-term the potential of the airport and trying to protect our preserve or safeguard that potential to serve as our air service for Austin and the Austin region. So with that, that's really the last slide I had. Trying to show the potential of the airport and the necessary needs of having an airport overlay zone. >> Garza: Councilmember kitchen. >> Kitchen: Could you show the map again, I'm sorry, where -- that shows the change on the overlay zone?

[3:39:16 PM]

There. No, backwards. >> Is that it? >> Kitchen: Go back one. That one. Is this telling me current or what the change would be? >> This is an existing overlay zone that was adopted in 2001 so everything is shaded in blue was a half-mile buffer around that 65 contour line, which is kind of that pinkish red. The

pinkish red is the actual 65 or the federal guidelines of a noise impacted area. The blue is the buffer zone around that to allow it to grow over time as more and more aircraft operations occur. >> Kitchen: Okay. So I just want to make sure I'm understanding what this does. So this -- does it say that there are areas that are now residential that would no longer be allowed to be residential in the future? >> No. Those are -- those are grandfathered in in 2001. This is just showing where it would not introduce any

[3:40:17 PM]

more non-compatible or residential or school type uses in that blue. That was adopted in 2001. >> Kitchen: Okay. So there's no impact on existing residential. >> No. >> Kitchen: Okay. So this doesn't -- this will not impact the txdot property? That there is -- I can't tell. I don't know enough of it the northern end of it if it impacts the txdot property where we currently have some homeless camping going on. >> It's in the overlay zone. >> Kitchen: It is. So what's the impact? >> We looked at it. They call it a campsite. It's not a residential site, so we did not oppose it. >> So if there's shelter structures put on that site, you wouldn't be opposing that either, right? >> That's kind of a more of a law. We looked at it is it residential or is it

[3:41:17 PM]

nonresidential? >> That's why I'm trying to clarify, there's some discussion now since that land was leased to atx helps about the potential of putting -- it's temporary. It's still shelter types of things. >> Councilmember, I think that the airport's main concern is the fact that we use federal money to buy the properties out and that we have to stand by that commitment. The homeless shelter use that's there right now is not considered to be a residential use by the city. It's considered a civic use. So it doesn't cause the concerns that the airport would normally have. >> Kitchen: And the same holds true if there's a property put on there as a shelter. >> It has to do with the use. We would consider those to be civic uses, traditional housing or whatever, so it's not considered residential. >> Kitchen: Okay. >> Garza: Councilmember Flannigan. >> Flannigan: But the tools that we're using in these overlays are zoning tools. >> Right. >> Flannigan: These are special tools that the F.A.A. Or the federal

[3:42:17 PM]

government grants. >> No, but as Shane can address better than I can, it has to do with as a requirement for getting the federal money that we used to do the buyouts, we had to do an overlay to prohibit residential in those areas. >> Flannigan: Yeah. I think my concern kind of to your point, councilmember kitchen, is the state property I don't think would even have to comply with our overlay if they didn't want to because it's just a zoning tool. >> Correct. >> Renteria: Mayor pro tem? How many -- I know you're talking about there were homes there that got grandfathered. Can you tell me how many are

existing homes now in the -- >> Not off the top of my head, councilmember. >> Renteria: But there's quite a few homes. >> There's a quite a few we tried to do primary departure headings to fly over those homes. Back in 2000 when we were trying to identify the primary departure headings we identified that cluster

[3:43:18 PM]

of homes to avoid that. We tried to use noise abatement procedures to try to limit wherever those cluster of homes were. >> Garza: I had a couple of questions if everybody is done with the questions. Okay, go ahead. >> Ellis: I do. I'm trying to understand this map correctly reinvestment now residential is allowed in the pink zone or not allowed in the pink zone? >> Not in the pink zone. So the pink zone is that federally of what is considered high noise impacted area. The blue zone is really a buffer zone around that. There was major investment moving from Robert Mueller to Bergstrom and one of the primary drivers Mueller was surrounded by residential or non-compatible uses. They didn't want that to happen again. They wanted to prevent non-compatible uses

[3:44:18 PM]

encroaching into the investment made. So Atlanta airport is a good example. Dfw is now surrounded, so they wanted to prevent that from happening. >> Ellis: We not allowing residential. But in the blue it's cautionary. The way I'm seeing the map play out if I'm understanding the roads correctly is there wouldn't be additional runway built to the west. The additional runway would be to the east. It's more of a flight path. >> That's correct. So that center runway would be -- I could go to that other map and explain it or go to this one. It's just a thousand feet to your right. So between the Barbara Jordan terminal and that runway we would be able to put another runway in on that piece of property. >> Ellis: Okay. So there wouldn't be additional runway moving that pink zone further west. >> We would still do a noise study so the pink zone wouldn't necessarily move to

[3:45:19 PM]

the west because of the position of the runway. It would be moving because the amount of aircraft operation is one of the primary drivers of that isolation and that noise line. But we still do a noise study because that runway would impact the neighborhoods that are just north of the airport. There's some residential there. >> Ellis: Okay. I wanted to make sure I was understanding that. And then I thought the slide was really interesting about the 65-decibels being equivalent to piano practice because I'm not a noise expert, but I found that interesting to kind of figure out what is a health and safety standard of noise and what is an irritant or something that could be mitigated through construction materials or something of that nature to make sure that residents aren't hearing loud noises like I know living near

two highways you kind of hear a lot of noises. >> The key on that one is the 65 is the day-night level so it's an average of the continuous noise events

[3:46:21 PM]

combined. And then there's a penalty put on from 10:00 P.M. To 7:00 A.M. Because of the annoyance. There's more annoyance that occurs in the nighttime hours. So the actual single events are much louder than 65 decibels, but if you average it over the day the average would be 65 decibels. So in -- the federal guidelines follow that 65 dnl line. >> Garza: I want to say something because maybe it will help with the confusion. I wish you could have done a side by side of what is now and what you're asking for. Is there a slide that shows what the draft ordinance -- because so right now residential is not allowed in the blue unless it meets these three bullet points. So if -- it's not allowed unless it meets one of those three. The change being asked for is no change to the boundaries of the map. It is the exceptions to the map. And so I believe it's mainly the residential would only be allowed with the mud --

[3:47:23 PM]

in the mud. So I guess my first question is what is the reasoning for still allowing that exception and not the other two? >> The mud was established, there's financing behind it, it goes back, it's kind of a grandfather thing, councilmember Garza, so it's trying to protect that investment that was made by the mud years ago. >> Garza: So this change would still allow residential in the blue zone if it's in a mud. >> Yeah. And most of it is the stone any ridge development. >> Garza: And on slide 6, I think it was slide 6. >> That's 6. >> Garza: Maybe it was 10. Did those other two, were they passed, those two zoning cases? >> They were denied because it wasn't in the ao 3. As mark said, it was in the ao 2. >> They were in the ao 2 as well? >> The stoney beginning was going to be expanded and it was a month after the adoption of the airport

[3:48:24 PM]

overlay. So the council at the time just denied the zone change. >> Garza: For both of those. >> For the stoney ridge. And the steiner tract rezoning, which is just north of right near where the 1501 case that you will be hearing after this, that was both in and outside of the airport overlay 503 zone and the owe a 03 zone. I think that was possibly denied. I haven't head read the whole case report. It's 17 years old. Suffice it to say that area that was inside the airport overlay was not allowed to have residential and so that was the case with those two zoning cases. >> So stoney ridge was in 502 and steiner was only ao 3? And can you go to the neighborhood plan one? So did you say that the black outlined is the only part of that that's in the

[3:49:26 PM]

ao 3? >> Approximately, yes. It's within -- it's pretty close. Because if you look -- if you take the dotted line off you can see the lines of the contour. >> Garza: Okay. So you said that because of this -- I guess I'm trying to understand why there was an exception made for this neighborhood plan. If the neighborhood plan wouldn't have allowed it anyway. Why was there an exception made for it? >> I was working with the city then, but I wasn't involved with this case. No one who was -- Shane was here at the time. He may be able to provide some insight, but I don't know. >> Garza: Okay. Because it seems like if the neighborhood plan wouldn't have allowed housing but if there's an exception made to allow it for this neighborhood plan. >> We were ahead of the montopolis neighborhood plan but we were working closely with staff that was managing that, so we kept it flexible and the intent was for the neighborhood to decide. So that -- when they decided to keep it commercial within that overlay zone we felt,

[3:50:28 PM]

you know, that was -- we felt we were good after the adoption of the ordinance and then -- and the adoption of the neighborhood plan. >> Garza: Okay. Okay. Those are all my questions. Anybody else have anything? Councilmember alter, you had -- >> Alter: I think you asked my question. >> Garza: Okay. >> Ellis: I could have sworn we had another case out here. When we did the mobile home rezoning was there one out here? Does anyone remember? >> Garza: It sounds like he's coming up. >> That is correct, councilmember, but that was also a preexisting use that had existed at the time that the airport was developed. Palm harbor homes. So it was simply as a citywide effort to rezone many mobile home parks across the city to mobile home zoning so it was already existing. It wasn't a new mobile home park. >> Ellis: Okay, thanks. >> Garza: I'm going to call the speakers.

[3:51:36 PM]

Steve tabor. And his Kate is it neilski? >> May we speak in a specific order Steve Drenner first? >> Garza: You have three minutes, Mr. Drenner. >> Madam chair, I'll only be speaking to the code modification and we'll handle zoning, the zoning case later? >> Sure. >> Okay. My name is Steve Drenner. I'm a lawyer in town with the Drenner group. The code modification that has been proposed does not comport with F.A.A. Guidelines. Let me say it again, does not comport with F.A.A.

[3:52:36 PM]

Guidelines. So the F.A.A. In dealing with lots of airports, lots of different locations, has published a detailed set of guidelines where they provide what is compatible land use and where. And the F.A.A. Guidelines use that 65-decibel day-night level as the significant key, and it says if you are in an area underneath that that residential uses are fine. Even without sound mitigation. It goes on to say that if you're in a level above 65 that residential uses are fine as long as you sound mitigate. So my problem with what the aviation staff is proposing is they are going far beyond what the F.A.A. Guidelines

[3:53:36 PM]

suggest. They're taking an area that's more than 5,000 acres and saying that will never be residential, and they're treating every piece of property the same. The zoning case that you will see that will be part of this discussion is that land is directly across two highways. It is in an area that will never be impacted by expansion of the airport. And it's under the 65 D and L. So for the luxury of having a, quote, perfect buffer, the aviation staff would ignore what the F.A.A. Guidelines say and would require that that entire 5,000 acres not have any residential in it other than what's there today.

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And I think that goes far beyond where we need to go, particularly in an area where this -- where our case is located that's across those two highways on the blue line in an area that already has forms of residential development as identified by the F.A.A. So I'm also struck, was amazed frankly, at the level of the 65 dnl comparison to piano practice. Our reality, and you will hear more about this, is the highway noise matters more than does the -- [buzzer sounds] -- Airport noise. So I'll leave you with that and other speakers will elaborate on that. >> Garza: Okay. Who was going second? Can you just state your name for the record and if you had any speaking time donated. >> Thank you, mayor pro tem. Good afternoon, councilmembers, my name is Jeff Howard and I represent

[3:55:39 PM]

a landowner in the affected area of ao 3. >> Garza: I don't know if you had donated time so we could tell the speaker -- >> I don't think I do. >> Garza: So three minutes. >> And I'll be brief. Speaking again only to the proposed code amendment. What I would point out is that from a rationale perspective, in other words, the reasons the current code is written the way it is, nothing has changed. And nothing will change. The code, mayor pro tem, your questions went to this, allows residential in ao 3. It allows that residential if it has been approved by a neighborhood plan or if it -- and if it is mitigated, sound mitigation. And that was intentional. And I think the other opportunities were for residential uses. I think that intention speaks to two things. Neighborhood plans require council approval. Neighborhood

plan amendments require council approval. So the idea was if a residential development was to come before -- in ao 3 it

[3:56:41 PM]

would have to first get vetted by council and the community. Second, it would have to mitigate and it would have to noise mitigate to a level that WOU allow -- meet F.A.A. Regulations. And again, that was intentional to preserve the ability both of council to allow residential where they felt it was appropriate and to make sure that if -- as the airport grew, noise mitigation as required by the F.A.A. Would be provided. So it allows you to do both. It allows you to allow the airport to grow and to provide residential where you think it's appropriate. And there's no need to change. If the area -- if the improvements to the airport cause the 65 dnl line to move, then you will be able to expand ao 2. This amendment only affects ao 3. And if that 65 dnl line

[3:57:42 PM]

moves, you will have only allowed residential development that has been noise mitigated per the F.A.A. So you won't have to buy those properties out. You won't have to mitigate them. They'll already be mitigated. And you won't lose any grant funding. So the reasons it was written the way it was in 2001 was to allow for appropriate growth of the airport. And I think if you leave them -- leave the code as it is, you will still allow that potential future growth. And of course, you can always strengthen those noise mitigation requirements even further and I think that would do the trick as well. With that I'll be happy to answer any questions you may have and thank you very much for your time. >> Garza: Anybody have >> Garza: Questions? No? You have three minutes. >> Can I get that presentation, please? The one --

[3:58:52 PM]

>> I'm Amanda wanting to look at the big picture. The area we've talked about in blue is the ao3 zone, 5,000 acres, five times the size of downtown, an area that should be looked at holistically -- not holistically. It should be looked at on a site by site basis, the way the code is written today. I just want to give an example of what that looks like. Talking specifically to the code amendment, not all of these properties are the same within the blue area, within the ao3 zone. As the airport staff said, they look at the area to be outside of the 65 day night. That is an average. The airport commerce property that was talked about is an example, had a sound study specifically done on it. It is in the area that is outside of the day/night average of 65. What that study showed specifically -- and this is an eight-hour period done on a Monday between 1:30 and 9:30 at

[3:59:54 PM]

night. And it showed specifically that at no time did any noise on this property get to 65-decibels. Only five times during an eight-hour period did it get to 63. And during that period, only one time was it an airplane that caused that noise. The others were all as a result of the highway traffic. We would continue to ask that these sites be looked at on an individual basis, not taking residential out of the entire blue area. With that, I am happy to answer any questions. >> Garza: Councilmember alter. >> Alter: I understood the airport staff, the idea is to be able to grow the airport. We have to be able to prepare for our noise levels to go up as the airport grows and air traffic goes. So I'm not sure I understand how your argument addresses that concern. It might not be 65 today.

[4:00:54 PM]

>> It would be mitigated today. Given where it's at, you would have to mitigate to a lower level. Even if the contour lines moved, this property would be mitigated lower than what would require federal involvement. >> Alter: I'm not sure if it's appropriate in the middle of speakers, but I'm not sure that that logic totally follows. And I'll like to hear from our airport staff when folks are done questioning. >> Garza: Okay. Anybody else? Do you need a presentation? Okay. And he has five minutes.

[4:01:55 PM]

>> Okay. Thank you. Good afternoon. My name is Steven tabor, a partner with the law firm of leach, tishman, cotle, from Pasadena, California. And I have been brought in by the Brenner group to speak about FAA policy and regulations regarding airports. Prior to 2005, I was an attorney with the FAA airport division of the FAA's chief counsel's office. And since 2005, I have represented developers and municipalities dealing with noise issues created by airports. The FAA's authority with respect to land use is very limited. The FAA has acknowledged time after time that it doesn't have the regulatory or the statutory authority to interfere with local land use issues. However, the FAA does expect an

[4:02:56 PM]

airport operator to take appropriate actions to the extent reasonably possible to minimize incompatible land uses. So, what is an incompatible land use? If you trace through all the federal regulations and guidance documents, and policy statements, it all comes down to this chart that's in part 150 of the federal -- title 14 of the federal regulations. And what we're going to be looking at is the very top of that chart, under residential use. The numbers across the top, the 65, 65, 70 are all dnl numbers. And as has

been stated earlier, dnl is an average, a 24-hour weighted average. It isn't a single event average. For residential uses, anything outside the 65 dnl contour is a

[4:03:58 PM]

compatible land use. Less than 65 there's a Y. And this is recognized in the airport master plan. It says all land uses are considered compatible, that would be including residential, with noise levels less than 65 decibels. Moreover, residential in the 65 and 70 contours can be made compatible. Lines 65 and 70, the one refers to a footnote which says that if you sound mitigate, the residential uses are compatible. And those noise contours as well. And if you go one step further, the 75 to 80, that's where the FAA draws the line and says residential land uses are not compatible in anything over 75

[4:04:59 PM]

dnl. It's worth noting also that in this chart, the FAA considers hotels and motels to be residential uses and that the residential uses for hotels mirrors that of other residential uses, except the fact that they will be allowed in the 75 to 80 dnl if they're properly sound mitigated. From what I've been told, the 1501 airport commerce drive project is outside the 65-dnl contour and would be considered to be compatible land use by the FAA. The FAA has used the 65 dnl as its threshold of significance for noise since the 1980s, the early 1980s, the late 1970s. Europe at the same time has adopted a 55-dnl threshold of

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significance. And there is currently a study under way that should be made public in October of this year that probably will recommend that the United States adopt the 55-dnl as its threshold of significance in the future. However, if the United States were to adopt this 55-dnl change, what would change is the amount of sound mitigation, or sound insulation that's required for residential uses or other types of uses that fall within those noise contours, say 55 dnl to 65 dnl might be -- will be required to sound mitigate down to a level of 55 -- excuse me, 45 interior noise level. So, if there is a change in the FAA's noise compatibility chart in the future, and if 1501 airport commerce drive development is sound insulated to a level these --

[4:07:04 PM]

[buzzer sounding] >> 45 dnl has planned, it would most likely still be a compatible land use. >> Garza: How many more slides do you have? >> I'm sorry. >> Garza: How many more slides do you have? >> I have just a couple more slides. I can move to -- >> Garza: Can you wrap up? Yeah. Wrap up quickly. >> I basically have five takeaways. If the FAA considers all land uses including residential to be compatible outside 65, the 1501 airplane commerce drive project is outside the 65 dnl contour and is a compatible land use by the FAA's definition. Even if a residential development is within the 65 or 70 dnl contour -- >> Garza: Is there anyone that can donate time? What is your name, ma'am? Can you let the clerk know your name? You have two more minutes.

[4:08:05 PM]

>> Okay. Even if a residential development is within the 65 dnl or 70-dnl contour, according to the FAA, it can be made compatible by sound insulating the residential development to an interior noise level of 45 dnl. The FAA will not deny a grant because it is a residential development outside the contour. It is unlikely the expansion of the airport will move the 1501 airport commerce drive development from outside the 65 dnl contour into 75-dnl contour, which is where the FAA recommends that residential development be prohibited. Even if in the highly unlikely event that the property is in the 65-dnl contour or above, the property will be constructed to achieve an interior noise level of 45 dnl or lower and remain a compatible land use by the FAA's

[4:09:05 PM]

definition. Thank you. If you have any questions. >> Garza: Does anybody have any questions? No. >> Thank you. >> Garza: So I don't know if this is a legal question, but -- so, this overlay issue is being brought because of the disowning case. But even if we pass these overlay changes, it doesn't necessarily automatically effect -- we're still considering the zoning case separately, is that right? Passing these overlay changes does not affect the zoning case before us. >> That's incorrect. Passing this would affect the zoning case. >> Garza: It goes into effect right away? >> Right. If you pass it on three readings, and this goes into effect, it would affect the zoning case.

[4:10:05 PM]

>> Garza: Okay. Councilmember alter. >> Alter: I'd like to ask staff if they could address the question I was trying to understand earlier. So, essentially their argument is well, we're under the contour and so therefore, it's fine. But this is supposed to be for when the airport grows and presumably, our noise levels would go up. And then we might be on the hook for purchasing their property or something later on. Can you help me understand? >> Yeah, back it up again, that ao2 zone, the red zone, one of the earlier slides shows that we made a \$100 million investment of mitigating noncompatible land uses out

of that zone. The FAA participated about 75% of that, or 75 million of it. They want to protect their investment as well. But outside that zone, it is correct that it's the responsibility of the local jurisdiction to set up the land use regulations around the airport. The question, or what the

[4:11:06 PM]

mitigation measure they're proposing is to do sound insulation to try to be within that mitigation measure that the FAA has defined. That's a partial solution. It doesn't handle your outdoor environment. If you open up a window or patio door or anything like that, you are letting that noise in. So there still will be an intrusion of noise over time. And yes, we're saying that the airport is going to continue to grow. And that noise contour line is going to grow. And there's uncertainty of what the future regulations will be that are being proposed, those federal regulations, how does that impact the growth of the airport. So keeping the upper zone and using that helps protect or preserve the airport to grow and have that noise impact grow. >> So can you walk me through what would happen if we let the zoning case go forward regardless of what we do on this

[4:12:08 PM]

overlay, and then the FAA changes the rules and the noise level requirement drops and then they become out of compliance as the airport grows in traffic, then what happens? What is our -- what are we on the hook for? >> It all depends on a couple different scenarios. If it's the 25-decibel noise reduction, then not compatible. But they're proposing to go even greater than 25 decibels for outdoor to indoor, maybe anticipating future. But if there's noise controversy or posing development for the airport to grow, the FAA is going to be looking at us to be able to address that or come to some solution of handling the complaints. Or not doing anything about it. It's one of those scenarios where councilmember alter, it's kind of uncertain what that future is and what the FAA's position will be. But right now they would not the

[4:13:08 PM]

be participating in any type of noise mediation or mitigation for that site if something were going to be built. So it would be on the city to pay or fund whatever that measure is. >> Alter: Okay. So if at a later date, it was built, and at a later date there was more sound, we could be on the hook for the mitigation or be unable to expand the airport how we wanted. >> We would not be able to use federal funds to mitigate that resident or that structure. It would be on us purely because -- >> Alter: Not only would we be required to fund it, we would not be able to use federal funds. We'd have to use city funds. >> That's correct. >> Alter: Thank you. >> That's what we're certain. We're uncertain on what their position is with regard -- >> Alter: We're not sure if they're going to lower. >> Correct. >> Alter: Make it more stringent.

We're not expecting them to relax it. But if they made it more stringent, that makes it more likely we'd be on the hook for

[4:14:09 PM]

something and that's the direction you're anticipating it might go. >> Europe has gone to a lower level, 55 versus 65. And there's recommendations of 45. >> Alter: If we follow that through and we went to that lower standard at the federal level, and they are no longer compliant, we would be on the hook for cleaning up the mess. >> That's how I understand it from the FAA. >> Alter: Thank you. >> Mayor pro tem. >> Garza: Councilmember Renteria. >> Renteria: I'm confused. When the airport got moved over there to its present site, that discussion also came out with the sound. And there was a councilmember there named max that said that the new technology, that the sound level of these jet engines were actually going to go down. Did that ever happen? >> Yeah, over time aircraft have

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gotten quieter. So yeah, I think at that time 20 years ago they called it stage three, where they muffled the engines. Most of those aircraft have been retired. There is newer aircraft with quieter technology. But there's still a numerous number of aircraft operations and it's not quite to enough where we're not generating complaints. There's still complaints occurring from the current engine technology, or noise cancellation technology on that aircraft. >> Renteria: They still have the old jets being used. The new jets, the ones that don't make that much noise, that are quieter than the old jets, is that what you're saying? >> Correct. >> Renteria: Go ahead. >> That's correct. There is newer fleets with newer, quieter engines. But there's a mixture of older aircraft flying with the newer aircraft. Over time, things retire and new ones come in.

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But yeah, when you generate a noise contour line, that gets accounted. You have to get approval on what fleet you're going to be using to generate those lines. That takes into account what type of engine and noise level that profile of that aircraft is. All that does get accounted. >> Renteria: It could be a possibility -- I mean, when you expand your airport, which is probably going to be another ten years or so? >> We'll always be under construction, but yeah. >> Renteria: So the engines could be quieter then. >> I would say the engines for departure there's a little bit more benefit, but arrivals, it's a big plane coming in with landing gear down. The wing slats down. We call it a dirty configuration. That's a noisy event for arrivals. So the technology isn't really there yet for arrival muffing. But departure noise over time does get quieter. However, the noise contour line

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is growing because of number of operations that get put into that day/night level average. >> Renteria: Okay. Thank you. >> Garza: Is there anybody else? Does anybody want to make a motion on this item? >> Casar: Mayor pro tem. >> Garza: Yes. >> Casar: I move that we postpone this. And I also move that we postpone the zoning case, if it's appropriate to make that motion at this point. It sounds like there's just some real questions of fact on the table that seem high stakes enough that I'd rather take it offline rather than us try to figure it out here. >> Garza: Is there a second to that motion? Second by councilmember Jimmy -- councilmember Flannigan. Is there any discussion on the motion to postpone this and items 66 and 67?

[4:18:14 PM]

All those in favor of postponing 48, 66 and 67, raise your hand. That's everybody on the dais with the mayor and councilmember harper-madison off the dais. >> Mayor pro tem, what date are we postponing these items to? >> Garza: I would say put it on the next council meeting, but, you know, we may have -- I believe the applicant has tried to meet with every office, so I would just say put it on the next council meeting and hopefully we'll have the full dais then. Quickly take up 80, 81, and 80 is being postponed. We couldn't bring up the issue until now. Postponed until March 26th at 10:00 A.M. Is there any objection to that?

[4:19:14 PM]

And then 81 and 82 is being postponed to March 28th at 9:00 A.M. If there's no objections, those will be the postponements for 80, 81, and 82. >> Mayor pro tem. >> Garza: Yes. >> March 28th? >> Garza: Did I say 28th? >> That's a Saturday. >> Garza: Yeah. March 28th. >> Oh, okay. >> Garza: The public hearing for Idc. And 80 is the 26th. I had the same thought at work session. [Laughing] Item 70. >> Council, Jerry, planning and zoning. Item 70, case c14-2019-0155 for the property located at 4011 hill road. The requested Zones from sf2 to sf6, approximately three-acre parcel of land that today has a

[4:20:15 PM]

church on it. The surrounding zoning on all sides is sf2. The staff recommendation was to do sf5 zoning along with the right-of-way. The zoning and planning commission recommended sf6 with a cap of 15 units and a dedication of right-of-way. So, with that, I'm available for any questions. >> Garza: Are there

any questions? Councilmember Ellis. >> Ellis: I would like to move the zoning and platting with the conditional overlay with the updated concept plan. However, officially that can be incorporated at this point in time. >> I'm sorry, it can not. We can do this with the 15 units, but you can't approve the concept plan. >> Ellis: Okay. Thank you. >> Garza: I'll entertain a motion after we hear from the one speaker. >> Ellis: Okay. >> Garza: Deborah Hamilton, you have three minutes,

[4:21:16 PM]

Ms. Hamilton. Hi. >> Good afternoon. I'm Deborah Hamilton. I live on the property next-door to the property that's trying to be rezoned. I'm at 4105 road. I've lived there my whole life. The land has been in my family for -- I'm the fourth generation. So I'm just very new at this. But I'm definitely more in favor of the sf5 because of the size of the piece of property that's next-door to me. It was at one time my family's property. I am concerned, of course, with the water runoff onto my property. I'm concerned with -- I don't know what the projection is for comet hill in the future of upgrading the convict hill road. And I guess my biggest concern

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is I live on the five acres next-door. I'm on the west side of keeping some of my privacy. I would like to request, like I most would love an eight-foot or request an eight-foot enclosed fence, like a solid fence, to keep additional people from coming onto my property from that many homes that would be there. And I appreciate you listening to me. It's just I've been there all my life, and it's a change that I wasn't expecting. It's been a church for the last 20 years and I guess I expected it just to be a church. So I do appreciate you listening to me. Thank you. >> Garza: Thank you for coming. Councilmember Ellis. >> Ellis: I just wanted to say thank you for coming out. It's always great to see district 8 people coming and speaking to us, and I appreciate your input. >> I appreciate you listening to me. I've been here all my life.

[4:23:18 PM]

And so it's more difficult for me, I guess, to see, you know, change. And I know we all have to change. And change is here. But I do want to hopefully get to keep what privacy I can on my property. So I definitely know the city had suggested the sf5, which would limit the amount of condominiums that would go there, which of course I'm more in favor of. But I would like to request -- and I assume the water runoff and the highway -- and I don't know how the roads are projected to be maintained as far as like convict hill, it's a two-lane road. So I don't know at what point the city ever decides to make that into a wider road or whatever. I don't know how that's handled. But definitely I would like the

[4:24:19 PM]

eight-foot enclosed privacy fence between my property and their property just to help with me keeping my privacy from different people moving into the condos. But thank you. >> Ellis: Appreciate that. Thank you. >> Thank you very much. >> Garza: So, I'll recognize -- did you have anything additional? >> No. I wanted to say we're only ready for first reading on this case. >> Garza: I'll recognize councilmember Ellis to make a motion. >> Ellis: I make a motion for sf6 with conditional overlay on first reading. >> Garza: Seconded by councilmember kitchen. First reading only. All in favor say aye? Do you have a question, councilmember Flannigan? >> Flannigan: Just a comment. I missed the conversation on Tuesday, I'm sorry. I'm going to vote no today. I think the co is unnecessary because once you overlay all the other development requirements,

[4:25:19 PM]

specifically sls, you end up not being able to get much more than that anyway. I'm going to go no on that today. >> Garza: Okay. All those in favor of item 70, raise your hand. All those opposed? Councilmember Flannigan voting no and the mayor and councilmember harper-madison off the dais. All the others voting aye. And then the last item is actually -- 79 is also being postponed to March 26th. If nobody has any objections, that will be postponed until March 26th. 71. >> Item 71 is case c14-2020-0001, known as Colton bluff springs road. The property is located at 6917 Colton bluff springs road. The existing zoning is rr, sf4a, co, requested mf3 and grmu.

[4:26:22 PM]

The staff recommendation was to grant grmu on tract two and mf3 on tract one. The zoning and platting commission recommendation was mf2 on tract 1 and grmu on tract 2 2 with the right-of-way as recommended by the staff. The applicant was requesting mf3. The commission recommended mf2 on the larger tract. >> Garza: Okay. There's one speaker. Oh, the applicant. >> Garza: Do you get five minutes? >> I won't use it all, mayor pro tem. Thank you, mayor pro tem.

[4:27:22 PM]

Good afternoon, councilmembers. My name is Jeff Howard, I represent the applicant and I'll quickly go through this presentation. The property is located on Colton bluff springs road adjacent to McKinney falls parkway and you can see there it's got William to the north and slaughter lane to the south. Both William cannon and slaughter lane with imagine Austin corridors and they're transit priority networks. So in the future, both roads -- in the near future -- will extend to 183 and are subject to corridor

improvements which will have, sort of, all modes of travel, both bike lanes, sidewalks, transit, etc. Here is the asmp network. You can see that Colton bluff springs road is a level two and that Mckinney falls is a level three. It's a four-lane divided major arterial. William cannon to the north and

[4:28:22 PM]

slaughter lane are level four streets. With respect to traffic, tia was deferred on this case to site plan where it can be studied more at the site plan stage. And we will be providing a sidewalk along the entire frontage of Colton bluff springs road which will provide continuous sidewalk activity up Mckinney falls parkway to William cannon drive so when those improvements are made, there will be full pedestrian connectivity to William cannon drive. This is in the project connect area. You can see where the star is at the bottom, there's a proposed park and ride, Mckinney falls in this area, and it will be part of a bus -- excuse me, a metro rapid line, the pleasant valley line. Here's the existing zoning. Again, you can see grmu, mf3 in the area. We've asked for grmu on the corner. The reason we have the configuration we have is because there's a lateral support

[4:29:23 PM]

easement on the corner and that prevents access. That lateral support easement was put in place after the initial original zoning. Here is the flood plain that's showing that final third is not particularly developable, not at all except for trails, which we intend to put in. I won't go over the summary except to say at the end, zoning is recommended by the city staff, and the planning commission heard this and heard from the speaker you're about to hear from as well and voted 9-1 for grmu and mf2. So we think that mf3 is an appropriate zoning, with the staff recommendation. But we certainly understood that zoning and platting commission felt like a lower density was appropriate and we were fine with that as well. So mf2 is very low density, multifamily. And given this property's undeveloped nature, given its

[4:30:25 PM]

location to in between two transit priority networks and on a major arterial, we think grmu and mf2 are appropriate zonings. And so with that, I'll be happy to answer any questions you may have. Thank you. >> Garza: There's one speaker signed up. It's done -- >> That's okay. Before you start my time, I provided a document, a letter, and backup documents to Kate Clark at staff who said she was going to distribute it. But if not, to bring copies. So if you don't, I want to be able to distribute these before I start, if you don't have it. >> Garza: They might be in the backup. I'm not sure. Does staff know if things documents are -- his documents are in our backup? No? You can give it to the clerk. >> Thank you. And if you didn't use all your time, can you defer some to me so I can get through everything? >> No.

[4:31:25 PM]

>> Thanks so much for your help. [Chuckling] Thank you. Hold on a second. It depends, it's complicated, there's many factors involved, we can't speak to that, it's not part of the rezoning, it'll be addressed at site plan review. My name is don, I live at 7013 knew treia run. The rear southern property line of my lot is the northern right-of-way line of Colton bluff springs road. And thus this development is directly across the street from where I live. I am against this. I believe the zoning change would allow the site to be developed in ways that are incompatible with the current and adjacent uses of the property. I'll try to go as quickly as I

[4:32:25 PM]

can and try to go through it. The commercial zoning change from Ir to Mr, mumu, would increase the size of the commercial property that's currently zoned by four times. It would also allow a building height of up to 60 feet as opposed to 40 feet. Over half of the houses along nutria run, allowed to be up to 35 feet, are one-story houses. So the 60-foot would be probably three times as high as any of those houses. The multifamily, it's currently the fs4a is -- allows for a maximum density of 6.25 units per acre. The mf3 would be a maximum of 36 units an acre, an increase of almost six times. Even the mf3 would be an increase of about four times. And the mf2 would allow up to

[4:33:26 PM]

423 units on the property, if you could maximize it. One of my most biggest concerns is the traffic, and the traffic that will impact into this neighborhood that exists. The two intersecting streets do not have a -- streets do not have a stop sign right at those intersections. And so any traffic going into the neighborhood would have unobstructed travel for Springfield drive, 1300 Pete and valley dawn 900. I know I'm running out of time. I can't address everything I really want to. The street right-of-way width on Colton bluff springs road, although the staff report says 80 feet, it's only 70 feet wide. I've provided documentation for that. The asmp street network map says it should be required to be at least 78 feet wide. I asked that the commercial

[4:34:28 PM]

zoning stay at Ir and only stay along the frontage of McKinney falls road. I'm very concerned with the uses. [Buzzer sounding] >> The only things that the applicant mentioned before were a service station

or a -- some sort of food to be put in there. I'm completely opposed to a service station. And if you would just grant me just a few more minutes or seconds, I'd appreciate it. I guess in closing, I could list off all the things, I know I'd never have time. To go back to what I first said, it depends, it's complicated, all this other stuff. I just feel like the decision on this keeps getting kicked down the road to site plan review or whatever else. And I'm not going to have any chance to effect any meaningful change. So if not now, when can I? Thank you. >> Garza: Sir, have you had a chance to meet with the agent?

[4:35:32 PM]

>> I spoke with him after the meeting briefly. And I did email with him a few times. >> Garza: Okay. And so I just want to understand your main -- >> I can't hear you well. >> Garza: Your main concerns, is the unit count, is it the development in general? >> I'm not opposed to development. I'm not opposed to growth. But I think that they should be done smartly. And I think that the size and scope and number of units that can be put in here is not smart. And I think it's excessive. So I would like to see, if it is going to be approved, that there be some sort of cap or limit put on how many units they could put in. Because one of the things that came up in the zoning and platting commission, the applicant states they voted 9-1. But there was a lot of discussion about this density and how once it's approved, they

[4:36:32 PM]

can basically do whatever they want within the limitations of the site. So although they say 140-some units, there isn't anything tying them to that. >> Garza: Okay. Councilmember tovo. >> Tovo: I'm sorry I missed whether we're posted on first reading or multiple readings today. >> Joy, planning and zoning, we are ready for all three readings. >> I don't know what that means. >> Tovo: That means -- we have an option of hearing a case. We have to pass it on three readings. Those three readings can happen in one meeting, or they can happen in three different meetings, or in two meetings. And the reason I asked that question is it sounds like just based on the question that mayor pro tem Garza asked, and your response, that it might be beneficial for you to have an opportunity with other

[4:37:32 PM]

neighbors, if there are others here today, too, to sit down with the applicant and talk about your concerns. And to the extent that some of these details have not been codified, getting those codified before we made a final decision. Otherwise we're scheduled to make a final decision on this today. >> I would welcome a chance to better explore this and not have it rushed through. >> Tovo: Thank you for that response. >> Garza: Would you support a first reading? Okay. So that means if we just pass it on one reading, it'll come back to us and hopefully between that time, you'll be able to speak with Mr. Howard and have your issues addressed. >> I appreciate that. And I didn't say it earlier. I want to thank

everyone here and your chief of staff for talking with me earlier. >> Garza: Okay. Thank you for coming down and waiting.

[4:38:33 PM]

>> I'm sorry. >> Garza: Thank you for coming down here and waiting. >> I'm sorry, it's me, not you. >> Garza: No worries. Councilmember Flannigan. >> Flannigan: I have a question for staff. >> Garza: Okay. >> Flannigan: When I look at the difference between mf2 and mf3 it seems to be pretty slight. >> Correct. >> Flannigan: It's the same height, the same minimum lot size and width. There's only a difference of 5%, meaning going from 50 to 55 on impervious cover, and 60 to 65 on impervious cover, 50 to 55 on building coverage. Mf3 has a floor to area ratio max but mf2 does not. >> Correct. >> Flannigan: Which is a bit of a surprise. Mf3 has an F.A.R. Maximum. It's just the units per acre. All the other entitlements are roughly equivalent. >> Correct. Staff recommended the

[4:39:33 PM]

applicant's request. Zoning and platting amended it to mf2. That's the zoning and platting commission's recommendation, the mf2. >> Staff's recommendation was mf3. >> Correct. >> Flannigan: Thank you. >> Mmmhmm. >> Garza: Are there -- councilmember kitchen. >> Kitchen: Just so I'll understand the difference, it sounded like there was a concern about the number of units and that not so much as what's proposed, but as what might could be built in the future. And if that's correct understanding that difference would be 140 or so, which is what's contemplated. But this zoning would allow more than that. Is that what I'm hearing? >> Garza: I don't know if you can answer that. >> Thank you, councilmember, Jeff Howard for the applicant. Yes. So when we submitted the application, you're required to provide tia determination and

[4:40:33 PM]

state how many units you're proposing. And so the developer is proposing 144 apartment units. And that's what we put in the tia determination. I represent the land owner. One thing you have to think about is, as Betty baker used to say, we don't zone projects, we zone property. And so it would involve a co, a conditional overlay to cap the number of units. And that might work for this particular developer, but it may not be for the best -- land use decision for the property. However, that was the discussion at the zoning and platting commission. What was proposed and what was being requested. And so in order to address the unit concern, the zoning and platting commission reduced it from mf3 to mf2 which would cut the maximum amount of units per acre. That was how the zoning and platting commission addressed the units issue. >> Kitchen: And would that keep it down to the 144? >> No. Mf2 -- we don't know how much --

[4:41:33 PM]

I mean, we could still do 144 under mf2. In terms of what's theoretically possible under mf2, I don't know what that is. It's not 400 units. And the reason for that -- I have a slide for this if you'd like -- is when you back out the floodplain, when you back out necessary area for ponds, when you do tree preservation, when you apply parking requirements, when you apply impervious cover limits and height caps you can't get anywhere near 400 units on this property. And so -- but I don't know what the theoretical maximum would be. >> Kitchen: Sure. Just the zoning would allow you. You mentioned 400 because that's what the zoning would allow if you didn't take into consideration all these other types of -- >> Correct. >> Kitchen: I would hope that in the interim between first and second reading, if you could work with the neighbors and perhaps consider a way to

[4:42:36 PM]

designate that cap on the number of units, that would be helpful. >> Yes, ma'am. >> Garza: Councilmember Flannigan. >> Flannigan: One more quick question. I want to ask both staff and Jeff one thing. I looked at the staff report. The impervious cover is the same either way, it's suburban watershed. >> That would be correct. >> Flannigan: Even though mf3 has 65%, the watershed governs, which means it's 60% impervious cover regardless. >> The major difference between the two would be 23 units per acre for the mf2 and 36 for the mf3. That would be the biggest -- the largest difference between the two zoning classifications. >> Flannigan: Great. Mr. Howard, it doesn't seem like there's that much difference between mf2 and 3 but for the number of units you can get on the site. In your estimation, to the extent that you've done this

[4:43:36 PM]

estimation, what is the reasonable maximum you could get on this site, if that was your number one goal? >> I think you would probably be -- I don't know. I think it would probably be more in the 250 to 300-unit range. You have about 12 acres that are developable of that 18. And once you factor in parking, preservation, height limits, impervious cover limits, etc., I think you could probably get over 250. But I don't know if you could get over 300. >> Flannigan: All right. Thank you. Just to my colleagues, I think this is another one of those moments I struggle with trying to understand not what the project being proposed, but what is the actual buildable possibility once we overlay tree and transpo and all the other things. And this is an ongoing conversation we keep having with each other. I do think that we should be

[4:44:38 PM]

wanting to see more housing in our community. And if we can do that in a way that doesn't add more impervious cover than would otherwise be allowed, that seems like a good move for me. I'm ready to move forward under either that you want to move forward with today, which is fine by me. But I want us to think about what our objectives are on this case. >> Garza: Does anybody want to make a motion? >> Flannigan: I'm happy to move. >> Garza: Sure. >> Kitchen: I thought we already had a motion. >> Garza: I don't think we do. I don't mind if you make the motion. >> It's in your district. I move that we approve this on first reading with a request to the applicant to please meet with any interested neighbors. >> Which version? >> Mf2. >> Staff with the commission's recommendation?

[4:45:38 PM]

Commission was mf2. >> Staff's recommendation, thank you. >> On first reading. >> Garza: Correct. >> And close the public hearing? >> I don't think we can really do this anymore. >> Okay. You can. >> Kitchen: I thought we were saying mf2, right? >> Yes. >> Kitchen: Okay. >> The motion is mf2, that's the zoning and platting commission's recommendation. >> Yes. >> That was the motion, I thought. >> Yes. >> Okay. >> Is there a second? Councilmember Renteria. So it's moving on first reading, mf2. And all those in favor raise your hand. Those opposed? >> Sorry. >> Garza: Any abstentions? So, that's Renteria for, alter can and pool against, the mayor and harper-madison off the dais.

[4:46:38 PM]

And that's all of our items. [Off mic] >> Garza: Yeah, we postponed the floodplain variance. Yes. We postponed it. Those are all our items. So, we are adjourned at 4:46, but please stick around for music and proclamations at 5:30. Thank you.

[5:29:52 PM]

>> ... On violin and vocals. >> CD on saxophone. [Applause]. >> Juno black on bass. Braden deal on drums and Brian Alexander on keys. [Applause]. And that's Antone know delgado. And so these are my very real imaginary friends. And yeah, I don't know what we should do next. Maybe we just -- how about we -- let me think about this. Oh, I know. That one might be a bit long. In consideration of the time I've got, let me think about this.

[5:31:02 PM]

>> Good afternoon. Sylnovia holt-rabb. On behalf of the music division we want to thank you guys for coming down. So let us where can we find your music? >> Definitely. So we have a single called Antone the brave on Spotify and we're also listed on Facebook and Instagram and oh Antonio. And our goal is to get people to smile. Relax. Times are tough. >> Yeah. And it's been a very tough week and we appreciate your energy. I'm going to turn it over to councilmember Renteria for the rest of the proclamation. >> Renteria: Welcome. I am councilmember Sabino Pio Renteria and I represent draft district 3. And the mayor is tied up right now so I'm going to be making the introduction. Joining us today is oh Antonio and his imaginary

[5:32:04 PM]

friends. Vantage pop sound is shaped by sax, flute horn, trumpet, guitar, bass, drums, percussion and harmonious vocals that will have you singing along before the song is over. Your hips will move, your heart will smile, all while pulling in influence from the buddy holly, Elvis Costello and the E street band, Billy Joel and the cure to name a few. The imaginary friends have been sighted at Austin music week. Free week, south by southwest, careham benefit day, girl hock Austin. Austin pride, mohawk, hole in the wall, the parish to name a few. On this special day we have

[5:33:07 PM]

a proclamation. Be it known that whereas the city of Austin, Texas is blessed with many creative musicians with talents extended to virtually every musical genre and whereas our music scene thrives because Austin audience supports good music produced by legends, local favorites and newcomers alike. And whereas we are pleased to showcase the support of our local artists. Now therefore, I, Sabino, Pio, Renteria, on behalf of Steve Adler, mayor of the live music capitol, do proclaim March 12th, 2020 as o'antonio and his imaginary friend day. Thank you. Congratulations. [Applause]. >> Thank you so much.

[5:34:56 PM]

>> All right. This song is called gold star. It's about the value that's in each and every one of us. [Music]

[5:38:54 PM]

>> Thank you all for listening. Hire oh Antonio and his imaginary friends. Thank you to the San Antonio -- thank you to the city of Austin! >> This is usually when a proclamation comes... So once again, thank you all so much clap last.

[5:41:15 PM]

U good evening, my name is Sabino Renteria and the mayor is not here now, he's dealing with some very important issues. I have a proclamation I want to read. Be it known that whereas king production is the premier African-American professional theater group known for producing thoughts, provoking educational work that continues to uplift and tell the stories of African-American heroes of the past and the present. And whereas king production brings powerful thought provoking work off the page and into the stage to encourage support and educate all underrepresented, as expiring talents as well as opportunities on a professional platform for new talents in central Texas. And whereas king production vision's is to become a leading pillar in the theater community provoking

[5:42:15 PM]

thought, telling stories of the past and modern day life life. Allowing as powering talent and they will have receive hands experience and industry training in addition to our adult and kid workshop: And whereas king production allow the opportunity on a professional platform to new talents in central Texas and remind Austin that the dream can come true if we have the courage to pursue them. Now therefore I, on behalf of our mayor, Steve Adler, mayor of the city of Austin, do proclaim March 12th, 2020 as king production Austin black theatre day. Congratulations. [Applause]. >> I turned 32 so I think I need to whip out my glasses.

[5:43:17 PM]

If I can reach them. Langston hues once wrote hold fast to your dreams for if dreams die life is a broken bird that cannot fly. On behalf of king productions we are honored to receive this proclamation from the city of Austin. Our ancestors lived so we could create visions that they could not see. Today as we mark March 12th, 2020 as king productions black theatre day in Austin, we remember them and their contributions. Upon their shoulders we stand proud, young, gifted and black. They labored so that today a little black boy from Victoria would have the freedom to dream. We stand on the shoulders of Dr. Billy hearton, Boyd advance, Jason brooks, Dr. John Warfield, Mahalia Jackson, Emmitt till, Donnie Hathaway, martin Luther

[5:44:18 PM]

king, Jr. And so many others that paved the way for you and I. They left us with such a beautiful gift. Our freedom to create. I'd like to share this day with all the dream builders because somewhere someone planted a seed, someone told you how great you were and what you were capable of, and if you allowed yourself to dream and to reach that, it can be yours, Charlotte, thank you for being a dream builder. I would also like to thank my family, my grandma in the back and my dad wherever -- trying out how to use the camera for the first time on the iPhone. [Laughter] We are the dream weavers, the storytellers. We have been blessed with the task to weave those dreams together in a beautiful tapestry creating opportunities for fellow dreamers to reach their dreams towards the sky and to grab ahold. At the same time allowing our work and our stories to continue. I'm going to read this brief piece from Emmitt till's

[5:45:21 PM]

mother. This monument will serve as a constant reminder to the world that our loved ones are not gone and they will never be forgotten. We know that the historic events that brought us all here today have chosen us to be the burden barriers, but the ones who chose this task gave it to us, the special strength to bear those burdens. When it seemed that nothing would help, when the blackness of 100 mid nights surrounded my days and when my eyes were a fountain of tears, the realization came to me that Emmitt's death was not a personal experience for me to hug myself and weep. It was a worldwide awakening that these hurts -- with these hurts come additional responsibilities. None of us can afford the luxury of self-pity. We must always remember that

[5:46:21 PM]

freedom is not free. Someone has always paved the way for an historic price for someone else to enjoy the liberty of freedom. On behalf of king productions, thank you, city of Austin, for allowing us to dream and continue to tell our stories. [Applause].

[5:48:39 PM]

>> Casar: Confusion congratulations, y'all. I am councilmember Greg Casar and in the city council chamber you cannot have a favorite department or a favorite function but I'm excited to recognize one of our by far most critical and underappreciated things that we get done here at the city through a lot of dedicated and hard work. So be it known that whereas the city of Austin purchasing office provides nationally recognized professional public procurement services to all of our city offices and departments ensuring an efficient and effective use of public resources. And whereas the policies and practices used

by the city of Austin purchasing staff makes fair and competitive use of public resources. And whereas the city of Austin purchasing procurement staff spend millions of dollars and have significant impact on our local and state economy and we'll be relying on them as health emergency and crisis. And whereas the city of Austin purchasing office

[5:49:40 PM]

joins the national institute of governmental purchasing along with other local, state and federal organizations such as the Texas association of public purchasers and the institute for supply management to educate, inform and celebrate the role of public procurement and how it plays an important role in the lives of anyone in the city. And whereas y'all put up with our council meetings and really thoroughly answer our questions every single time. Now therefore I, Greg Casar, councilmember from district 4, on behalf of Steve Adler, mayor of Austin, Texas, do hereby proclaim March 4th, 2020 as Austin public procurement day. [Applause]. And Ms. Morales is going to say something. I think maybe we take a picture first and then you can say something.

[5:50:47 PM]

On behalf of the Texas association of public purchasing, I would like to thank you for the proclamation and the association consists of state agencies and local governments throughout the state of Texas. Thank you. [Applause].

[5:52:06 PM]

>> And speaking of amazing things that happen at the city, and thank you, councilmember alter, for joining us for this one. This is really exciting. So we have a proclamation here today to recognize those that have gone through our business skills certification program. So be it known that whereas a partnership between the university of Texas center for professional education and the city of Austin's 20-year-old small business program recognizes these entrepreneurs and small business owners for their commitment to increase their business knowledge and acumen and whereas through this partnership more than 9,000 local entrepreneurs have attended more than 550 educational classes with nearly 250 completing at least six classes to receive this business skills certification. And whereas we proudly congratulate you, these committed entrepreneurs, and we hope that you will inspire others to follow in your footsteps. And today we confirm the

[5:53:07 PM]

immense value of enhancing your business skills for our city. Now therefore I, Greg Casar, councilmember from district 4, alongside my colleagues on behalf of mayor Steve Adler, do hereby proclaim March 12th, 2020 as business skills certification day. [Applause]. >> Thank you, councilmember. My name is Veronica, I am the director of the economic development department with the city of Austin. Tonight we celebrate more than 20 of the recent graduates of the business skills certification program. Congratulations to you. [Applause] You have worked hard and now you have the tools to take your business to the next level. The city's small business program was established 20

[5:54:08 PM]

years ago. We're a one-stop shop for information and services to strengthen Austin entrepreneurs and small business owners. Our partnership with the university of Texas center for professional education supports the growth of new and exciting businesses with classroom education. Classes cover in-demand topics like accounting, marketing and even business plan writing. Over the last 10 years the business skills certification program has trained over 9,000 entrepreneurs in our Austin community. In the past six months we've added 41 graduates to our growing list and tonight we're going to honor a little over 20. These graduates have completed six small business classes that will help them better manage their businesses. We are proud to be a part of helping our local entrepreneurs grow their businesses. Again, congratulations and congratulations to your families. I know we have a lot of family members here, so thank you for your support as your family member has completed this process. Synovia from our department, our deputy director, will now be

[5:55:09 PM]

nouncing the names of our graduates. -- Announcing the names of our graduates. >> Thank you, Veronica. Our first graduate, Richard Armstrong. [Applause]. Mildred Batts. [Applause]. Adrianna Bedford. [Applause].

[5:56:31 PM]

Jorge Benavides. [Applause]. Rosemary budgen. [Applause]. Jamail Burkes [applause].

[5:57:44 PM]

Laverne Collins. [Applause]. Mark Duncan. [Applause]. Duncan >> Grace heckler. [Applause]

[5:58:57 PM]

Emmanuel Lewis. [Applause] Jason lomsa. [Applause] Esther lafeaux. [Applause]

[6:00:25 PM]

Marabel Mendoza. [Applause] Laticia Mitchell. [Applause] Teresa Morgan. [Applause]

[6:01:36 PM]

Necee badea. [Applause] Amanda Reyes. [Applause] Sarah solace. [Applause]

[6:02:48 PM]

Shannon Sanders. [Applause] Edwin Trevino. [Applause] And if all of our graduates could quickly, quickly come for one group photo. Please, hurry, hurry. Thank you. >> And while they are coming up I wanted to give a special thanks to our mayor, our council, our city manager. This is the city manager that we work for. They consistently provide support for the workerless small business program so thank you. Thank you so synovia who is

[6:03:49 PM]

up here, Vicki Valdez, our small business manager, small business staff and all of our economic development staff. Thank you very much. Finally the UT center for professional education. Thank you.

[6:05:04 PM]

[Applause]

[6:06:05 PM]

>> Garza:all right. We have a couple more proclamses, but this one is for national nutrition month. You know, particularly in southeast Austin, which is considered a food desert, families throughout our community face problems getting food access and nutrition access. Sop it's an important issue for our city. So I'm going to read this proclamation. Be it known that whereas food is a substance by which life is sustained and whereas the type, quality and amount of food that individuals consume each day plays a vital role in their overall health and physical fitness, and whereas there's a need for continuing nutrition education and a wide scale effort to enhance healthy eating practices, and now, therefore, I, Delia Garza, mayor pro tem on behalf of Steve Adler do hereby proclaim March 20-22

[6:07:07 PM]

as national nutrition month. [Applause] >> Thank you so the city of Austin and the councilmembers for supporting policies and initiatives that provide equitable access and availability to nutritious foods for all of austinites. This month and every month we encourage everyone to eat their fruits and vegetables and nourishes foods. Again, thank you to the city of Austin. [Applause]

[6:08:36 PM]

>> Garza:all right. I get to do one more and I forget introduce myself last time, mayor pro tem Delia Garza. This one is to recognize the month of March as women's history month. I'm incredibly proud to work on a dais where you have a majority female council. We've had that for two cycles in a row and hopefully continue to have that. I think that for manufacture us, it's such a wonderful thing that we have been able to continue to see women in leadership positions, but we have a long way to go as a nation. We continue to see discrimination in gender roles, and I think -- I don't know if I can speak for everybody here, but I feel like last week seeing one female presidential candidate who actually dropped out of the race was a tough day for many of us in leadership positions. And so I'm so grateful to work with all these women,

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not only colleagues on the city council, but colleagues on our staff. We have such an amazing staff here at our city. So grateful to work for all of them. We know that our voices are important. Many of us are mothers to daughters, and we hope that they will not face the same discrimination that we've had to

face. So I will read the proclamation. Be it known whereas throughout history women have pushed toward equality, liberation and acceptance of women's rights, women continue to face discrimination, a higher risk of sexual assault and an earnings gap. Whereas this month is an appropriate time to recognize the victories, struggles and stories of the women who have made our country what it is today, whereas women in our city continue to assume roles of leadership in government, as evidenced by the fact that there are seven councilmembers, including our mayor pro tem -- I hadn't read this before -- and the previous one as well, mayor pro tem Kathie Tovo as well, 47% of our

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executive leadership including senate city management are women, whereas the women of the city of Austin have organized an employee resource group called women to women, mentoring, coaching, networking, professional development and inspiration through speaker and discussed programming for women across our city enterprise. Therefore, I, Delia Garza, mayor pro tem of the city of Austin hereby proclaim the month of March as women's history month. [Applause] >> Thank you, mayor pro tem and members of council. I'm Veronica, the director of the economic development department. I'm here today as a cofounder of woman to woman. Rosie Truelove our director of neighborhood housing and development department was our other cofounder about eight years ago. Unfortunately Rosie is sick today and unable to be with us. The support of our deputy city manager, Maria, she is our executive sponsor, and we are thrilled to acknowledge international women's day as proud

[6:11:39 PM]

advocates of women's social, economic, cultural, and political accomplishments the world over. And thinking a bit more locally, Austin is home to many incredible, talented and visionary women, many of whom work for the city of Austin. The city of Austin -- the city of Austin organization. Women in public service workforce harness their expertise, enthusiasm and spirits toward advancing public programs and services on behalf of Austin citizens. As public servants, it is important that we reflect the community that we serve. Between Rosie and I, we have over 40 years of shared experience with the city of Austin. We are honored to work every single day towards the mission and vision of providing economic opportunity and affordability to our community, while also supporting those who unify around the cause of gender equity. Within the city of Austin's nearly 14,000 strong workforce, the importance of providing a personal support structure, women-led communication channels and leveraging platforms for

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engagement cannot be understated. In recognition of the city of Austin's affinity group woman to woman that offers programming, networking opportunities, educational speaker series and other engagement opportunities for women and individuals who support them, we celebrate this evening in recognition of international women's day and today's proclamation ceremony led by mayor pro tem Delia Garza. We will continue our commitment towards curating new learning opportunities for women across the city workforce. Thank you and enjoy your evening. [Applause] >> All right. If somebody wouldn't mind grabbing some of these cameras because I'd love for our staff to be in this picture as well, you included. They are really the people that help us, especially in our -- so I don't know if other councilmembers are okay with their staff coming into the picture, but I just wanted to invite them. >> We encourage allies to

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also join us up here.

[6:14:42 PM]

[Applause] >> Renteria: my name is Pio Renteria, city councilmember district three, I already have a strong leader, Ema, at the Mexican-American cultural center. She has led -- has led the center for 13 years now, and

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she has done such an outstanding job. We got our bonds passed, \$27 million. She has been able to work with the commission there. And she has done such a wonderful job. So I'm gonna present her with a distinguished service award for her on-time service and commitments to the residents of Austin during her 13 year tenure as a dedicated leader of Austin, Ema S. Barieno, during that time she engaged hundreds of artists, mentored Latinx youth and established a wealth of programs and exhibit, at that time transforming our esbmacc into a prominent and innovative and international cultural center.

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She is deserving of public acclaim and recognition. This certificate is presented to acknowledge and appreciate this 12th day of March in the year 2020, the city council of Austin, Texas, signed by the mayor, Steve Adler. Congratulations. [Applause] >> Thank you. Thank you. Thank you so the city of

Austin. Thank you to the mayor. Thank you to councilmembers. I will never forget this day. And more than anything, I really want to thank my family, especially my parents. They're not here. My father passed away, but it was because of my father and because of my mother that I've done everything that I've done. I've done everything because I wanted to achieve everything and prove that I am strong like Pio mentioned. And that I believe in education and I also believe

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in communities. And I wish my father was still alive so I could tell him how far I've come. And I also want to thank all my friends that love me so much. If it wasn't for them, I don't know that I would have had the strength to go through some of the difficulty times. But also to share all the great times that I had during those times and to also move forward and do greater things in my life. I want to thank them for being here today. I also want to thank Laura Esparza here today as well sharing this with me, who has been my supervisor ever since the very beginning and has already given me the strength to move forward. But I also wanted to thank another great person, Jill Ramirez, who also has given me a lot of love and support and a vision for me to move forward as well when times have gotten difficult. So this is how I do it. I do it with a lot of love

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from my family and a lot of support from my friends and just a lot of giving that they do for me. So thank you. [Applause]

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>> I just wanted to make sure that there was not a representative from the down's syndrome association of central Texas here in the chambers or outside. I'm not seeing any. That concludes our music and proclamations. Thank you so much for coming to city hall. Y'all have a great evening.
[Adjourned]