

## City Council Regular Meeting Transcript – 05/21/2020

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>> It is 10:10:11. We have a quorum. I'm going to make sure we can hear everybody. Is councilmember harper-madison here?

>> Harper-madison: Present.

>> Garza: Councilman Renteria, can you hear me?

>> Renteria: Yes.

>> Garza: Councilmember Casar?

[Inaudible]

>> Garza: Councilmember kitchen?

>> Kitchen: Yes.

>> Kitchen: Councilmember Flannigan? Flannigan yes.

>> Garza: Councilmember pool?

>> Pool: I'm here.

>> Garza: Councilmember Ellis.

>> Ellis: I'm here.

>> Garza: Councilmember

[10:10:44 AM]

councilmember tovo present going through the changes and corrections. I just saw the mayor join. Do you want me to do that or do you want me to go through changes and corrections?

>> Mayor Adler:

[Inaudible] Thank you for doing that.

>> Mayor?

>> Mayor Adler: Yes.

>> This is Jeanette. Just so you are all aware, we do have a group of Spanish speakers who we did not receive a request for interpretation services and so we're working with Katherine to try to find if we can get someone on board for those. But at this time she may -- she has volunteered to possibly do the translation if needed. So I texted you those numbers and council has those names as well.

[10:11:45 AM]

>> Mayor Adler: When we get close to the -- whatever, would you make sure that you come on live?

>> Okay.

>> Mayor Adler: Thank you. All right. Changes and corrections. Number 2 is withdrawn. 23 has been withdrawn. 27 has been withdrawn. 38, councilmember pool as sponsor. 44 is withdrawn. 49 is postponed to July 30th. 68, a valid petition has been filed in opposition to the rezoning request. We have five items that have been pulled. Not showing on changes and corrections, item number 38 has been pulled by councilmember alter. Item 75 pulled by mayor

[10:12:46 AM]

pro tem Garza. Item 94, 95 and 96 all pulled by councilmember Flannigan. We have late backup in items 2, 8, 14, 28, 37, 38, 50, 54, 69, 72, 73, 97. We have draft minute filed under the Austin housing and finance corporation, item number 1. The consent agenda today is items 1 through 45 and items 75 through 96. We have some folks that have signed up to speak and, colleagues, what I would do is to -- now my screen has gone dark. Do you still see me?

>> Yes.

>> Mayor Adler: I can't

[10:13:47 AM]

see you. We're to go ahead and start with speakers.

>> Casar: On item 38, councilmember alter, is that just to incorporate your amendments? Because we're working up a version with your amendments along with one or two of the other suggested ones.

>> Alter: Yes, and because I mentioned I didn't get the backup until just before I have to read the second version, so I don't have a challenge to what's up there and I do want to get my amendment incorporated, but I also want to make sure I read the changes, but I may have that done by the time we're ready to vote on consent.

>> Casar: Let us get you a red line with your version in and if you don't have time, we can pull it, but we'll see if we can get it done.

>> Alter: Jeanette will send that to me?

>> Casar: We'll get it to the clerk and get that to everyone.

>> Alter: I don't know

[10:14:48 AM]

what happened to my

[inaudible]. Mayor, I wanted to just check, staff will still be here for other items if we have comments on consent after a direction on consent.

>> Mayor Adler: Yes, we're not -- yes. Staff, we need to make sure staff is here for questions after the discussion. Okay. And then -- also on item number 96, on page 4

[inaudible] I think that we had all agreed the word existing on 165 on page 4

[inaudible]. Councilmember tovo on the

[10:15:48 AM]

phone. I don't know if I need to pull it or if that will be acceptable. We want to make sure

[inaudible] Continues unabated. But I think [indiscernible] Without making broadly stated so it will allow the greatest creative input.

>> Tovo: Mayor, so this is the item I brought forward, as you recall I needed to leave the meeting at 5:00 to go join my commitment on capital metro. I'm not familiar with the conversation you all had and would need to -- I think that that's fine, but I'm not understanding the rationale for existing. It's already been pulled and so if we could just read this at that piece in the course of the conversation around it, that would be useful.

>> Kitchen: Mayor, could I

[10:16:49 AM]

Speak to that for a moment? Councilmember Tovo, that's one word in the language I provided. We had agreed to that change and it just didn't make it into the backup so I don't have any problem with that change.

>> Tovo: Okay, I understand that message has been conveyed. I'm just not understanding what the impact is. I'm sure that's fine, I want to better understand what the concerns are with leaving that word in and taking it out and if we could just in the course of talking about the resolution -- [inaudible]

>> Mayor Adler: I just wanted to flag it.

>> Alter: Do we have a copy of 96 with the lines? Because the copy that I had off of the -- I think the message board with the version 2 doesn't have the line numbers so I'm not sure where you are --

>> Mayor Adler: This would be on page 4 of five and it's the third line down. Other than through the solicitation process open to all entities.

[10:17:50 AM]

>> Alter: Okay.

>> Mayor Adler: Okay. Do we want to hear from speakers on the consent agenda? Let's go ahead and do that. We're going to invite all the speakers, everybody has three minutes. You can speak about as many or as few items as you would like in your allotted time. We're going to begin with Shaneel Herman. Is Shaneel Herman here? If you are speaking, you need to unmute. Okay. Next speaker would be Zenobia Joseph. Is Zenobia Joseph here? You need to unmute.

[10:18:52 AM]

Okay.

>> Sorry, could --

[inaudible]

>> Mayor Adler: Is that Zenobia?

>> Veronica Neto.

>> Mayor Adler: I'm sorry, I didn't hear. I called Shaneel first. Zenobia Joseph, no response yet. Is Miles Brandon here?

>> Yes, I am.

>> Mayor Adler: Okay, Mr. Brandon, you have three minutes.

>> Thank you. Thank you, mayor and councilmembers for the opportunity to speak. I've the reverend Miles Brandon, pastor of

[inaudible] Episcopal church and leader on behalf of central Texas interfaith and resident of council district 7. Cpi has called on the city to invest 40 million for rental assistance for low-income residents.

[10:19:53 AM]

Many of you have met with us and voiced need for rental assistance and in the council work session this week. We would like to commend city manager Cronk for recommending [inaudible] Proposed covid spending framework. We believe this is an excellent first step and continue to believe at least \$40 million is necessary to just begin to address the needs for rental assistance in our city as we continue to face the covid-19 pandemic. We recognize that the needs are great and that other measures help people with rent such as direct cash assistance for the rise fund which we also supported and are very grateful to council for creative. We have supportive in getting to the second half of the 40 million-dollar number by using a combination of these tools. As long as councilmembers are supportive of the manager's recommendation of

[10:20:55 AM]

first 18.6 million for direct rental assistance, we support additional funds reaching \$40 million coming from some combination of direct rental assistance as well as direct cash assistance by increasing the rise fund beyond its initial

[inaudible]. Direct rental assistance and rise are distinct tools. Rise targets those left out of the stimulus payments while direct rental assistance targets a much broader group of low-income residents who may have gotten some stimulus help. \$40 million is itself a conservative number and there's a real chance when moratoriums on rent are lifted tens of thousands could face potential evictions [inaudible] That has profound implication. This remains a public health issue as people are forced

[10:21:56 AM]

to work and until feeling well or risk future evictions due to unaffordable rent. Providing \$40 million in rental assistance as supporting a struggling economy since rent paid to landlords assures their income and lessens the potential of defaults on their mortgages. The payments are achieved through rise direct

cash, we urge the council to design payment amounts that sufficiently prepare rental needs per household. Thank you for the time.

>> Mayor Adler: Next speaker is Carlotta Garcia.

>> Yes, this is Carlotta Garcia with our lady of Guadalupe catholic on behalf of central Texas interfaith. The only -- what reverend miles Brandon said is exactly our organization's

[10:22:56 AM]

position. We would just like to emphasize that while serving overlapping low-income populations direct rental assistance are distinct tools. Rise left out of the city's payment while direct assistance targets

[inaudible] Of low-income residents who may have gotten stimulus help but are still racking up that balloon payment. So we support the additional funds coming from some combination of direct rental assistance as well as direct cash assistance. Thank you.

>> Mayor Adler: Thank you very much. Next speaker is Kelly white. Is Kelly white here?

>> Can you hear me?

>> Mayor Adler: Yes, we can. Go ahead.

>> Good morning, mayor and councilmembers. I am [inaudible] And I'm here on behalf of my

[10:24:00 AM]

[inaudible] Our staff and the many people we serve in the community. I am so exceedingly proud of how the Austin council has come together working to keep Austin safe and well during this unprecedented and difficult time. We also want to say thank you to the [inaudible] For long-time support -- decades of support, almost \$1.3 million annually is critical to our operation. Our board and staff also want to let you know what seeing in the Austin community and how we are stepping up to respond. It's been a tough time and a trigger warning, what we're dealing with is difficult to hear about. Our safe line calls increased 200% year over year from may 19, 2019, and may 19, 2020. We are hearing from so many more people.

[10:25:00 AM]

Our shelter wait list increased almost 20% over that same measure. We are hearing horror stories. Just a couple that we heard in a really, really short period of time just one day this week. The first contact

[inaudible] Out of the home. She cannot afford a hotel and can't find any shelter with immediate openings. She will sleep in her car and looking for ideas for safe place. We discussed places people can generally park overnight and be safe. Placed on to our wait list. Second one, caller reached out for shelter. Husband held a gun to her head that was loaded and pulled the trigger. The gun malfunctioned so he hit her over the head with it and strangled her. She was accepted for immediate shelter. We are hearing about too many women sleeping with children in their cars, too many pregnant women trapped in homes with abusive

[10:26:02 AM]

partners. Abuse escalates during pregnancy and during covid-19 the results are horrifying and sometimes deadly. Now that you are hearing a lot in the media about the increase in family violence during the covid-19 pandemic. I'm here to tell you it's real and our staff are stepping up in heroic ways to deal with it. Faith has not shut down. Indeed we have opened our doors wider. We are creative and responsive ways to address the increased need for shelter and other support for victims and survivors. As part of this safe has launched a pilot program shelter away utilizing a local hotel to provide bridge shelter for survivors -- owing up more space behind the Gates for families in danger.

[Buzzer sounding] Each caller is assessed based on the danger assessment. I can't believe I'm already done. Sorry?

>> Mayor Adler: You are

[10:27:02 AM]

correct, that was the timer. We want to quickly finish your thought.

>> Okay. We are doing this and we need the city to step up to support us. We are open, we are doing more, we are supporting the people in our community and we're addressing this historic crisis and we hope --

>> Mayor Adler: Thank you. Thank you.

>> Mayor, could I say something?

>> Mayor Adler: Hang on a minute. Councilmember tovo.

>> Tovo: I wanted to ask the speaker if she could briefly summarize the things her organization has planned to address this. I think she was just starting to give us a couple examples. If she could just respond to that.

>> I think one of the most important things is that we have opened -- we are working with a hotel, we are moving families directly into -- from our shelter and that's a critical piece of this. So we're able to -- if we have funding, we can expand by up to 30 families.

[10:28:03 AM]

That's pretty significant. It doesn't cover our wait list, but it sure gets people in this immediate crisis into safety. We have -- staff that were non-essential, we've moved them on to our safe line. We've transferred staff over to work in our shelters. We are all hands on deck. We're doing a lot of prevention. Developing safety prevention programs. Really interesting is that some of the [inaudible] That we have just exploded all of our child abuse prevention program. We have more calling for services on how to be a good father during this time than we've ever, ever had in the past. We have extended our child abuse prevention program up to age 12 and we have more families, we have practically doubled the number of families calling us and engaging in our

[10:29:05 AM]

parenting program. It's extraordinary. We're stepping into it. And it's challenging.

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

>> Kitchen: Thank you, Kelly, for letting us know what you are working on. I just want to make a request of staff that they talk with safe [inaudible] Assistance. Safe has been working on a shelter away program which provides hotel rooms for -- for victims of domestic violence who need a place to stay. And I would just like our staff to talk to safe and explore how we might be of assistance to them from a financial perspective and from other perspectives too.

>> Thank you, Ann.

[10:30:07 AM]

>> Mayor Adler: Councilmember Casar. Then councilmember harper-madison.

>> Casar: Thank you, Kelly, for everything you and your team are doing right now. I'm supportive of finding a way to get to some of that immediate term solution with hotels that y'all are pulling rooms from right now, but I do just want folks on the dais and in the community to know we are looking in district 4 at some number of hotels for us to have a more permanent expansion of this capacity right now during covid-19, but also generally. This is actually a crisis that's always -- as you mentioned, you've had a 200% increase over the past year, not just right now. And so I look forward to continuing to work



with you and the dais and I think you have a lot of support hopefully for us to lock down one of those district 4 hotels or somewhere else in the city if we can find a better one for this purpose and we'll keep on working with you on that.

>> Thank you.

[10:31:09 AM]

>> Mayor Adler: Councilmember harper-madison.

>> Harper-madison: Thank you. I echo the appreciation for safe and I won't repeat what some of my colleagues have said, but I do think it's worth noting there's an item on the agenda today for an organization called survive to thrive to receive funding from the city. And I'm certain that they are actively engaged in housing people in hotels with their relationship with some of the hotel owners and the hotel association. I know for a fact they are doing that work so I want to make sure we don't overlook the fact we are actively working in that direction currently. And if they aren't already, I certainly would like to propose a partnership between safe and survive to thrive considering they are serving that same very important population of people.

>> We have reached out without doing a formal partnership and we have a

[10:32:09 AM]

long-standing process and we've reached out about doing that. And hopefully we will be able to meet with them soon. That's not been forthcoming yet. The other piece of that is that our -- ours is different in that we make sure -- [inaudible] We're very concerned about safety. So our first step is we do a danger assessment that we utilize in cooperation with the Austin police department and to determine who is in fact in the most critical situation at the moment. And then we have to prioritize about who we get in. So we're bringing people into shelter behind the gate in our very secure shelter first, and then we move people out once we get them stabilized and safe we move them out. It's a different process.

>> Mayor?

>> Mayor Adler:

[10:33:10 AM]

Colleagues, anyone else? Wishing to speak on this?

>> Mayor, can you not hear me?

>> Mayor Adler: I could not, I can hear you now.

>> I've been asking to speak for a while. You know, we all appreciate the work that safe is doing. I happen to have a pretty close relationship with survive to thrive, Courtney santana, the founder of that, is one of my constituents and I'm glad to see there's an item on the agenda today to help provide funding to that organization. I happen to know that safe and survive to thrive already have a relationship and in fact safe sends clients to survive to thrive. Courtney's entity in large part [inaudible] Putting domestic violence the last couple of years developing relationships and figuring out liability insurance and the very challenging elements that come with that. Which is really important

[10:34:13 AM]

companion to physical shelters that safe has been doing. So there's no reason to reinvent any wheels here, survive to thrive has been doing it and they already receive referrals from safe.

>> May I respond to that, please? So we --

>> Mayor Adler: Kelly.

>> [Inaudible] With the speaker.

>> Okay. So who wasn't speaking?

>> Mayor Adler: That was council Flannigan.

>> Okay. Thank you. Anything else? We're going to go to the next speaker. Is --

>> Tovo: I did want to hear Ms. White. This is councilmember tovo. Ms. White, you said you had additional information to offer to Mr. Flannigan's point.

>> I just wanted to quickly say that yes, we do -- we have worked with survive to thrive. There's no question about that. We're trying to expand that

[10:35:14 AM]

relationship. There have been some referrals that have come from our sexual assault program. We absolutely want to expand that. Right now there are more that come the other direction from survive to thrive for us to handle because we actually have greater capacity. And our program is different based upon level of danger.

>> Mayor Adler: Let's move on then to speakers. Thank you very much. Is Zenobia Joseph here? Ms. Joseph, if you are there, you might need to unmute your own.

>> Thank you, mayor, councilmembers. Zenobia Joseph. Mayor, I have a technical comment first. In the backup materials I think if you look at page 44 you will see my name from your work session on Tuesday. This past Tuesday was the 19th of May. And that should be Zenobia

[10:36:20 AM]

[indiscernible].

>> Mayor Adler: Please make note of that.

>> And then I just wanted -- yes, and I just wanted to ask related to your technical funds if it's possible for you to look at other platforms since you can get reimbursed for that. Specifically the Microsoft meetings which Capital Metro uses are Zoom because those are clear and no one ever says can you hear me.

>> Mayor Adler: Go ahead.

>> As relates specifically to the agenda items, item number 75, which is your -- your allocation from the federal government, \$170.8 million, my opposition is specifically related to the manner in which you handle the \$50 million rise funds which was not transparent. While I appreciate that you have some small contracts, 120,000 up to a million dollars, it is questionable why Family Independence Initiative, the \$2 million

[10:37:20 AM]

never came before you. I would just ask you to have the equity officer and Family Independence Initiative come before you so that the public knows how the funds were spent. The equity officer is scheduled to go back before commissioners court next week so that should not be problematic. As relates specifically to the citizens participation plan, I should have been signed up for number 12 but there was a technicality, so you will see where I'm he had asked for two items, one for and one against. I was against item 12. I did want to thank commissioner -- not commissioner, but councilmember Casar as related to item 38, the high-risk workers. He did include African-Americans in that category. I was neutral. My opposition is specifically related to the immigrant community. And just to be clear, they do not qualify for the C.A.R.E.S. Act funding. So when you continuously leave that language in your

[10:38:21 AM]

contracts, you are circumventing federal law. I'm going to ask to you strike the immigrant community's language and recognize that St. David's for example has funding for public entities as well as non-

profits. I would go back to April 7th where councilmember Renteria did ask the question about if there was any way for you to partner with the private sector and no one answered his question. So I think you could ask him if there is some recommendations he could give you on that regard. As relates to the economic response dashboard, I just wanted to make a comment that as relates to family Independence initiative, there was money that did go to greater mount Zion.

[Buzzer sounding] However, dashboard states churches cannot receive funds. If I could, mayor, I did send information to councilmember pool about item number 7 to ask you to use the \$1.5 million that you have from the community first development grant for transportation to get people

[10:39:22 AM]

to the enterprise zone in the domain.

>> Mayor Adler: Thank you.

>> Thank you so much. If you have any questions.

>> Mayor Adler: Thank you, Ms. Joseph.

>> Pool: Mayor? This is Leslie here. I wanted to thank Zenobia for her suggestions on item 7 which is accrueant in economic development zone, enterprise zone. And I wanted to let you know we checked in on making our recommendation for an amendment to item 7 and we can't change anything about -- because it's a state designation. We are simply being asked for our support of that. But what I would like to do is suggest that if you haven't already to send that recommendation up to the governor's office and then I would be happy also to forward that information request [inaudible] If that were --

>> Thank you.

[10:40:23 AM]

I haven't reached out to the governor's office, but thank you, councilmember pool. And just so the members understanding our conversation, part of it was the economically disadvantaged category specifies being unemployed for three months. So I felt like that might trump the minority participation and training in the zone if it accrueant with the economically disadvantaged definition. But I'll gladly reach out to the governor's office and send you that information.

>> Pool: Great. And we agree we would like to [inaudible] A little more robustly in helping those disadvantaged in our state.

>> Thank you so much. This is a big deal. It's \$51,000 to \$98,000 job. So, you know --

>> Pool: Thank you.

>> That would be helpful. Thank you so much.

>> Mayor Adler: Thank you.

>> Pool: Thanks, mayor.

>> Mayor Adler: Anybody want to speak before we go to the next speaker? Then I'm going to go to the next speaker.

[10:41:23 AM]

Is Jessica Limon here?

>> Yes, I'm here, mayor.

>> Mayor Adler: You have three minutes.

>> Thank you. I'm Jessica Limon and I associate state director for outreach and evacuation for aarp Texas and I'm here on behalf of our members in Austin to support agenda item 28. Aarp cares deeply about this issue because it's estimated one in five payday lender borrowers are 50 and older. That figure does not account for the countless

[inaudible] Austinites their children and grandchildren funding high-cost loans. Aarp stood with Austin city council to celebrate the passage of the original ordinance cracking down on payday and lending abuses within the city's boundaries. And we are back today because the attorney general's ruling has created a new loophole for payday and auto title lenders to

[10:42:24 AM]

evade the very reasonable limits enacted in the 2012 ordinance. We are all struggling with the effects of covid-19 crisis especially older austinites and we need to make sure that both their physical and financial help are being protected during this time. Aarp supports the ordinance amendment under consideration because it closes this new loophole while preserving Austin's residents access to credit under the terms that gives them a reasonable chance to succeed in their loan. So we thank the city council and staff for their efforts in this important issue and I appreciate your time today.

>> Mayor Adler: Thank you very much. Next speaker is roz MC guinness. Are you here? You need to unmute if you are speaking. Okay.

[10:43:25 AM]

Is Lordes Zuniga here?

>> Yes, mayor, I'm here.

>> Mayor Adler: You have three minutes. >>En that you. Good morning, mayor and councilmembers. I thank you for all the work that you are doing in guiding us through this challenging time and the opportunity to speak at this meeting.

[Inaudible] Of central Texas strongly supports item 28. Financial services that often drain community assets are concentrated in zip codes in Austin where the population is over 50% of people of color. Predator lending and auto title lending practices are a challenge for many of our clients and we're grateful for the work that city of Austin and the [inaudible] Community and staff to support this [inaudible]. I also wanted to support item 38 based on the --

[inaudible] Covid-19. I urge you and the council to approve the formation of

[10:44:26 AM]

a task force as soon as possible so we can conduct meaningful outreach and preventive measurements so we can stop losing lives, the lives in our community. Thank you for your time and I hope that we can all come together for this big, big undertaking.

>> Mayor Adler: Thank you. Is Ann [indiscernible] Here?

>> Yes, hello, this is Ann. I'm director of the financial services project at [inaudible] And member of the finance, banking and industry group of the mayor's task force on institutional racism and systemic inequity. I'm here to support item 28 and really appreciate the work that the city council has done on this important issue and the opportunity to share a few perspectives on this issue. I'm sure many of you are familiar with payday and auto title lending, but some things you may not know is

[10:45:28 AM]

Texas has some of the weakest protections in the state and nation. We're just one of five states that has no cap at the state level on these loans and as a result we see in this market average APRs reaching 500% or more which means a \$500 loan would cost \$1,500 or more to repay in a few short months. As the previous speakers have mentioned, a 2019 attorney general opinion in response to market innovation that was going on basically validated a new loophole around the existing protections we have in Austin. It has created the new loan product called signature loans or personal loans that they claim are not payday or auto title loans so therefore they do not have to be licensed by the state to offer these products and they are not covered by the ordinance. The revisions suggested in item 28 bring those new products in line under the current protections as well as adds certain fee

[10:46:28 AM]

protections for the new product because there's additional city authority to address other aspects of these new products that wasn't available for the payday and auto title loan products defined in state law. To give you a sense what these new products look like, these personal loans or signature loans average 500 to 800% apr. They look exactly like current installment payday loan products. It's just a way to get around the protections that are in the ordinance as well as I think a forward-looking attempt to get around possible federal rules. I commend the ordinance -- the city council for considering this and support it and especially in the context of the covid-19 pandemic and the economic hardship, it's really important to ensure that predatory lending practices are kept at bay in our cities and people are given the financial tools they need to move forward and succeed. I'm happy to answer any questions.

[10:47:28 AM]

>> Mayor Adler: Thank you very much.

>> Mayor?

>> Mayor Adler: Yes. Mayor pro tem.

>> Garza: I just want to quickly thank Ann and roz. This came out of the financial institutions resolution about three council meetings ago, and in talking about how we could ask more of our financial institutions, we -- we heard about this loophole that Ann brought to our attention and that's why it was added to that resolution. And so I want to thank them for bringing this to our attention and close this loophole that this ag opinion opened up and thank our law department for quickly bringing this back for us to vote on. I'm sure it's likely to stay on consent, because law worked with Texas appleseed to get us all in a good place and restore protections that that loophole created. Thank you for everyone involved including Cynthia

[10:48:28 AM]

from my staff.

>> Mayor Adler: Thank you. Is jaundice dishere?

-- John [indiscernible]? You need to unmute if you are trying to speak. Okay. What about Joe Wagner? Joe Wagner? Jessica Wolfe? Jessica Wolfe here?

>> Good morning, can you hear me?

>> Mayor Adler: Yes. What's your name, please?

>> Jessica Wolfe.

>> Mayor Adler: All right. You have three minutes.

>> Thank you. Good morning, mayor, mayor pro tem and council. Jessica Wolfe, deputy policy director for workers defense and I'm testifying in support of item 38. Workers defense is a membership based organization of low-wage workers and immigrant

[10:49:28 AM]

families. Our members are plumbers, dishwashers, electricians, cleaners and cooks. Many work in essential businesses and would be exposed to covid-19 on the job. Covid-19 has affected our community in many ways but particularly financially in a no workplace. Most do not qualify for unemployment benefits or any federal support in fear if they do test positive for covid-19, they lose income because their employer might refuse to provide paid leave. In addition, many have been forced to put themselves and members of their household, some with pre-existing health conditions at risk because they have no other choice but to go to work in order to feed their families and pay their bills. Item 38 can breast -- can address this. Or workers -- the Latina community is the most

[10:50:29 AM]

vulnerable populations in our city right now with the highest rate of hospitalizations. Most of our members work in the construction industry, construction sites have been identified as hot spots where public health officials report 19 clusters of positive covid-19 cases. In addition testing on two construction sites showed an infection rate that was three times higher than local testing. For members who aren't construction workers, we know low-wage workers are more likely to become infected with covid-19. It's imperative our city -- at risk of being hospitalized if infected can covid-19. We need to ensure that our most vulnerable community receives the support and resources they need during this time of crisis. During the work session on Tuesday we were happy to see the recommendation of the public health fund which would help implement this resolution. We applaud councilmember Casar and co-sponsors for bringing this forward hope

[10:51:31 AM]

you vote in favor of item 38. Thank you.

>> Mayor Adler: Thank you. The next speaker is Paul Saldana.

>> Good morning, mayor.



>> Mayor Adler: Good morning.

>> Good morning, mayor and council. Thanks for the opportunity to speak this morning. I just wanted to let you know I remain deeply concerned the Austin public health data continues to show an upward trend of covid-19 in our Latino community. We learned earlier this week that despite larger Latino populations in a Harris county and Dallas county, Austin's Latino population has higher rates in confirmed cases and hospitalizations. Many of us watch portions of the presentation from Austin public health officials and central health earlier this week. Our coalition had previously engaged in conversations with central health and community care to learn more about the community engagement. We provided feedback and

[10:52:33 AM]

recommendations which were actually incorporated into the presentation that you all received earlier this week. In addition, central -- appeared at our town howl meeting to discuss pretty much what they presented to you. We received several calls yesterday after the morning briefing in which director Hayden was quoted and represented there would be creation of a task force within Austin public health and that council had no date set in mind but that it would be staffed by Austin public health, community -- equity office. Be aware we have not been contacted by any member of your Austin public health staff. If we move forward with a task force which we encourage, we would hope the goals would be to lower the disproportionate impact of positivity, hospitalization and death rates. We want to assure the task force would work in partnership with your staff to ensure we have bilingual communications including public education, messaging

[10:53:34 AM]

and that this task force would serve as a strategic adviser contributor and resource. We're not asking for special treatment, we're asking out of concerns based on data provided by your health officials the impact of covid-19 on our Latino community continues to demonstrate disproportionate and negative rates. It impacts all of Austin. This is not a Latino issue this is a city of Austin issue and all of us should be equally concerned as we represent large percentage of frontline workers, grocery store clerks, you name it. We know our culture, values and traditions and daily life experiences. What we also know is the -- communicate with Austin's Latino community is not working. How many more lives need to be affected. We need a plan of action. And a Latino task force, a

[10:54:34 AM]

process that will provide meaningful education to suggest that our issues -- to suggest our issues be

[inaudible] Hispanic quality of life and creates a perception that Latino lives, whether it be positivity rates or death do not warrant the undivided attention of city officials. We need your support. Thanks for your consideration.

[Buzzer sounding]

>> Casar: Mayor?

>> Mayor Adler: Yes, councilmember Casar.

>> Casar: Thanks for your testimony. Thanks for your signing up in support of this item about our high-risk workers. We've got a new version that includes direction to the manager for us to have task forces set up to look at what's happening in our vulnerable community, high-risk workers, and when we are done with speakers, I'm going to ask the manager and some of our staff to

[10:55:35 AM]

talk through the goals in a way that we can be looking at this so I appreciate you raising that issue. I just wanted you and the other speakers coming up to know that we'll be adding that language into the resolution. Also, I think you mentioned you did tune into the work session. We talked right at the end of the day about the fact that even when we are offering testing and having direct conversations with Latinos and specially construction workers, we're still having a major challenge beyond just the communication on things like the economic support and things like paid sick time. We went to big construction sites and over 60% of workers declined free covid testing. We are continuing to get the word out about -- immigration status doesn't matter, but actually the biggest thing cited by those workers largely Latino was the concern that if they ended up testing positive,

[10:56:37 AM]

that they might lose that week or the next week's pay. And so what I would really love this task force to help on and some of your help on because of your work working with businesses, and I appreciate you volunteering so much of your time and others volunteering their time, to help get -- through the contractors associations, all of them, ABC, the agc, Asian contractors, getting those businesses to all sign a pledge, try to get to 100% of the membership signing a pledge saying they will educate workers about the new federal law that guarantees them paid sick time if they get a positive test or have symptoms. And for those businesses exempted because they are really big for them to do it anyway. I wanted to know if you would help us with that because on top of the communication, even with folks that do know, we are

[10:57:39 AM]

still seeing that challenge. And so is that something that you could -- within this task force something that you could be helping us with to get businesses to pledge to follow the six time laws and rules and to educate their workers about that law?

>> Absolutely. And on the contrary, I'm going to disagree a little in that we have been doing that. In order for the communication to be inclusive and in order for us to aspire to reach the goals of lowering the numbers and impacts to the Latino community, it also means that the city officials and you yourself, sir, have to be inclusive in including all of our organizations. And so I'm hoping that we can put politics and egos and differences aside and really focus on what matters and that is how do we prevent and work on a downward trend of the impacts and most importantly saving lives. You are correct, I know the hispanic contractors association have develop both English and hispanic videos and taking it a step further and have produced

[10:58:41 AM]

pas about decontamination. As you know, we have our Latino communities living in multi-family generational units, if you have a husband and uncle all living in the same unit who are construction workers or mom works in a grocery store and everybody is coming home, there hasn't been emphasis on how to teach Latino communities to decontaminate and more importantly what resources are there to provide them the support they need, where are they going to same thing applies with the apartment complexes, section will housing. There -- section 8 housing. There doesn't seem to be support to make sure when Latinos are coming home they have an opportunity to decontaminate so if they are walking in and not knowing that their positive for dived they're not exposing not exposing other family members and putting them at

[10:59:42 AM]

risk. I want to make sure we do what we can to protect our Latino community. Thank you.

>> Casar: And I don't know what we actually disagree about because the things you just listed are what this resolution is calling for more of and to do. And I appreciate standing up in support of it. And I do think that all of those contractors working with us to address once folks have the resourced and communication they need that those workers feel safe and comfortable exercising those rates R. Rights and staying home would be very valuable and I hope we can get to people 100% pledging to help us on that effort. So thank you for offering that up.

>> Thank you.

>> Alter:, mayor, it's councilmember alter. I want to say something to my colleague,.

>> Casar:. There was a version 2 that came out this morning, you are anticipating a version 3 that will incorporate the members that I had proposed

[11:00:42 AM]

and mayor Adler and there will be additional pieces of that, but don't have that yet.

>> Casar: Right, that's the version we were talking about this morning that would include. Include mayor adler's suggestion, your suggestion. You should have that in a moment.

>> Alter: I wanted to make sure I had the order correct. Thank you.

>> Casar: Of course.

>> Mayor Adler: Okay. I think we do to the next speaker. Is Alicia here?

>> Yes, sir. Hi.

>> Mayor Adler: Go ahead. You have three minutes.

>> Good morning, mayor and councilmembers. I'm here to support the spirit of item number 38 even though we submitted suggestions as to some improvements in the language and how the resolution reads. Right now it says approve resolution directing city manager to establish a strategy for high risk workers in order to prevent

[11:01:43 AM]

hospitalizations and fatalities related to covid-19. We would specifically request that we identify the Latino community whether it be there or in another whereas. We must -- I think it's important to identify that we ever a gap in services. That there is a particular population that is suffering more and dying more from this particular illness, virus. I would also like to -- I know you're focusing on workers, but do remember that hispanics also live in multi-generational households and that whatever is geared for the worker also has some sensitivity to the family so that you're able to educate the worker, but also they're able to bring that education home to the family in terms of pamphlets, in terms of other -- maybe protective gear.

[11:02:44 AM]

I think that's it. We also submitted changes, councilmember Casar, to the whereases and therefore to the resolution to make it stronger and to assure that we are starting the Latino -- targeting the Latino community and that that is transparent.

>> Mayor Adler: Thank you very much. The next speaker is Lupe marine.

>> Thank you mayor and council. Good morning to you all. I would like to be able to echo what Alicia Perez, Paul Saldana and [indiscernible] Have already said. We have been -- since our call with you, mayor, we have been working on some language to help build up that resolution, which I'm totally supportive of with all the revisions that have been discussed already. And now I want to make sure

[11:03:44 AM]

that I recognize the mayor and council and staff for all the work that's been done so far to help flatten the curve and provide housing and support for our most needed population. I am still very, very concerned about how we got to the numbers of Latinos who have died and who have been hospitalized. 61% of people hospitalized are Latinos. I'm very concerned.

[Indiscernible] To be reactive but be proactive. How we got to this point I'm not sure. I agree with what's been said before that we need to make sure that we're on the table, that we have input as a task force and members to be included in the area of the decision-making process, but understanding culturally

[11:04:44 AM]

all the [indiscernible] And bilingualism and communication that's directed to those most in need. Anyway, my last thought is that whatever we can do to work together to collaborate as a unified team to continue to flatten the curve, particularly the Latino community. Thank you, mayor.

>> Mayor Adler: Thank you. Councilmember Renteria?

>> Renteria: This is Pio. We got here because our governor decided to tell the construction people that there were essential workers. And that therefore we had to keep the workers out there working without providing any kind of guidance at all. I think it was any opportunity -- I don't think there was any opportunity for us to prepare and educate people.

[11:05:44 AM]

And then when me and the mayor got together -- I talked to the mayor and we looked at knowing that Easter was coming and knowing our people with lent and their sacrifice that they do, and on Easter day that everyone gets together and party and celebrate, and I just saw it coming. We tried our best to educate people to make sure that make sure that there are -- there are grandfathers and all the other people that are very close to

[indiscernible], all those, and we saw it coming. We tried our best and we're addressing the issue now, but it is going to be a struggle because we let the genie out of the jar, out of the pot in that. It's coming and we just need

[11:06:45 AM]

to really double up now. And that's what -- we distributed masks this week to the hispanic contractors and hispanic union to go out there and to protect themselves. And that's what we need to keep on reminding everyone that we need to protect our people. Marta? You're speaking, you're on mute. Marta. Is Kevin tucker here?

>> Yes, I'm here.

[11:07:46 AM]

>> Go ahead, Mr. Tucker, you have three minutes.

>> Thank you, mayor and councilmembers. Considering the statements made about covid and all the emergency things that need to be taken care of, my statement is a little different. I was just -- I wanted to support the adoption of the ispsd, the international swimming pool and code that applies to the building and --

[11:08:51 AM]

some swimming pools have been in the ground for decades and improves the health and safety for all the people using them and the energy consumption as part of this as well. And I am actually teaching classes to help the industry understand how to adopt this code and build a better pool or spa. That was really my support, but I wanted to add to this discussion.

>> Mayor Adler: Thank you very much. The next speaker is Bob Levin ski? Is he here?

>> Yes, thank you, mayor and council. This is Bobby levinski with save our springs. I'm speaking on item 50 which I wasn't sure of the consent agenda or not. The agreement before you has been an ongoing dialogue between stratus and S.O.S. Since the summer of last year. Just to explain the position that is -- that we came from. The property is phase 5 of a

[11:09:53 AM]

large development. It is the last part of that development that would be developed. The water quality pods have already been built as well. So we sort of approached it as -- and it's also an approved site plan office that is kind of the default position so if we don't come to an agreement on something they can just build an office park and we don't get any environmental superiority to the project. The agreement before you treats the impervious cover as an effective net site area so instead of it being on the site, stratus has agreed to add additional lands to the south of their property to make the development an overall 25% net site area that would be compliant with the S.O.S. Ordinance. This is actually an offer that they made beyond the staff recommendation, so they worked with us and they were incredibly responsive to our concerns. And we do not take an S.O.S.

[11:10:54 AM]

Amendment lightly. This is a unique scenario. I don't think it's a model for all future projects. We would of course prefer full compliance with all of the [indiscernible] Regulations, but this is a reasonable compromise and we encourage you to support it. I'm not going to stay on the line until 2:00, but if you do have any questions, please feel free to reach out to me through email. Thank you. So.

>> Mayor Adler: Thank you. We're now going to call some speakers that had asked for translation assistance. My understanding is that Alicia torres is going to help us with transmission assistance. Is Ms. Torres available?

>> Yes, I'm here on the line and I just want to make sure that everybody knows that I am going to try my best. And it might not be direct interpretation, which I will let the speaker now, but I will do my best to interpret

[11:11:55 AM]

for folks.

>> Mayor Adler: Thank you, miss torres. We greatly appreciate your assistance and willing to step up. Your speaker that has signed up to speak and at the end of the translation I'm going to give you the opportunity to speak yourself. Rather than putting you put in the queue. There are seven people who asked for assistance in translation. The first one is Edith Barras.

>> Excuse me, mayor. I'm another person here who could help because seven trans -- translating for seven is a lot of work. If by chance Alicia --

>> Mayor Adler: I can't hear you. Can you speak into the microphone?

>> I was saying seven people is a lot. If Alicia needs to take a break at some point I'm willing to take a turn. My name is [indiscernible].

>> Mayor Adler: Thank you

[11:12:56 AM]

very much. Did you hear that, Ms. Torres?

>> Yes. She's also willing to help as well if you want her to step in at any point.

>> Okay. When I'm ready to do that, then I'll just call your name so that you can finish off. Thank you.

>> Mayor Adler: Thank you, both. Edith Rojas.

[Speaking Spanish].

>> Mayor Adler: Okay. Let's go to Marcia morale less?

[11:14:00 AM]

Will you tell them if they're speaking, I think they may need to unmute. How do people unmute?

[Speaking Spanish].

>> Mayor Adler: I'll ask the names again. Edith Rojas, Marcia morale less. Is Ruth Rebecca morales Perez? What about Maria Garcia.

[11:15:05 AM]

>> Present.

>> [Speaking Spanish].

>> My name is Maria Garcia.

[11:16:09 AM]

I live in district 4.

[Speaking Spanish].

>> Zip code -- I am calling for items in support of items 81 and 87 that help support families.



[Speaking Spanish] I feel that the 1.1 will make -- will make a big difference for families in the community.

[11:17:12 AM]

[Speaking Spanish] In this moment I have lost my job because what we are living through. Right now I don't have the money to pay rent or bills or things I need like food. I have kids that are minors

[11:18:13 AM]

and they are the ones that I worry the most about. We do not pay rent then we will be put out on the street and that is what I am worried about. Thank you very much.

>> Mayor Adler: Thank you. Next speaker is Maria Garcia. I think. The next speaker is Judith Quintanilla.

[Echo on the line].

[11:19:22 AM]

>> Hello, here I am. Good morning. My name is Judith Quintanilla. I thank you very much for receiving our calls from the hispanic community.

[Speaking Spanish]. I live in district 4, zip code 58.

[Speaking Spanish] And we're calling in regards to the item -- we're calling in support of items 81 and 87, in support of the community.

[11:20:26 AM]

The reason for the call is because the situation of covid-19 has really affected us all. We're affected as the hispanic community.

[Speaking Spanish]. And for the families that are calling in the name of the entire Latino community because of the economic situation is very critical at this moment. A lot of people are suffering. In particular the Latino community is really feeling the effects of this pandemic and we hope that the city of Austin can help us

[11:21:27 AM]

economically. For example, in -- for example, in my particular situation I was

[indiscernible] Out working and I know there may be a lot of people in the same situation, and I won't be able to pay rent.

[Speaking Spanish] And I hope that this help really does come and that it comes soon because we really do need it.

[Speaking Spanish] Thank you

[11:22:27 AM]

very much for taking the call and listening to us because these calls are very important to us. Have a good day and may god bless you all. Thank you.

>> Mayor Adler: Thank you. The next speaker is yena morales Perez? Okay. What about [indiscernible] Lopez? Hola.

[Speaking Spanish].

[11:23:32 AM]

>> My name is

[indiscernible] Lopez. I live in district 4, but closer to three. I am calling in support of items 81 and 87.

[Speaking Spanish] I'm calling to thank you for taking our calls.

[Speaking Spanish] The truth is that by this time we all know that because of covid-19 we're all living while experiencing very much unexpected moments.

[11:24:47 AM]

And the truth is that I would like to ask that you all really help us all because we do not have money to pay rent, to pay electricity.

[Speaking Spanish] I have three kids and the truth is that I need this help. Since all of this started I have been unemployed.

[Speaking Spanish].

[11:25:47 AM]

>> Hello?

>> Mayor Adler: Hello.

>> Hello?

>> Mayor Adler: Did we lose Ms. Lopez?

[Speaking Spanish].

>> Mayor Adler: Let me call the names that were left and see if she can get back and try to accommodate that. Edith Rojas, Marcia morales, Ruth Rebecca morales Perez. Ina morales Perez. Any of those names? Then we'll continue on. Ms. Torres, thank you so much for assisting us with that. You can speak now if you would like to take your three minutes.

[11:26:51 AM]

>> My name is Alicia torres with [indiscernible]. I wanted to start off by bringing to the attention of the rest of the city council as we all might know now, the fact that we have Spanish speakers who tuned in at the very beginning as the instructions called for. You know, who really took time to call in today and attempt to participate in the spaces that often have not been friendly to Spanish speakers or other speakers that do not -- whose English is not their native language. And there is no interpretation provided, only -- no professional interpretation provided, only because the interpretation services were not requested. And the fact that this happened is the form of the city not practicing language justice. By allow things like this to happen, city council is sending the message that this space is only for people with access to tech and that speak English. It is unacceptable that

[11:27:52 AM]

we -- that all we heard when many of us offered to interpret, and this was before the call was merged, was -- with city council, was I'm sorry, I can't do that. That is not the process. If we are allowing flexibility for everything and everyone, why not allow flexibility for the process of language interpretation. I hope at the next meeting city council can do better and it can -- it can do better and it does not take council intervention when the meeting has already started for us to practice language justice. So I just wanted to begin uplift that. I am appreciative that the opportunity was given, however I think that it could have

been very easily solved from the beginning. I'm here to speak to item 75, the [indiscernible] Framework developed by city manager [inaudible].

[11:28:54 AM]

>> Mayor Adler: Okay. Thank you. Also on this item we have now Candace?

>> Good morning. I think that the last speaker maybe got cut off? It sounded like she was in the middle of a sentence and hadn't started giving her comments yet. I'm not sure if --

>> Mayor Adler: Is she still on the phone? That would be Alicia torres. If she comes back we will give you additional time to be able to complete. Those are all the speakers we have that were asking for translation assistance. While we are here let's go on with Candace?

>> Yes, this is Candace. Can you hear me?

>> R.

>> Mayor Adler: Yes.

>> My name is Candace.

[11:29:54 AM]

I am the executive director at youth rise Texas. We are an organization that works with young people whose families have been incarcerated or deported. We work with a a number of families that have been negatively impacted by job loss because of covid so I'm here to speak today on item number 75. First I want to just thank the council for sending funds to the equity office and share a little about our demographics and our numbers. So as an organization that works with families that have been impacted by criminalization a, incarceration and deportation, you can image the families that we work with are already all too often in precarious economic circumstances. We work with majority folks of color, mixed immigration status families, a number of black families and U.S. Born families as well. And we in the past five and

[11:30:56 AM]

a half years have served about 270 youth across the city and because of the funds made available to the equity office through the rise funds we were able to distribute some really

[indiscernible] To those families. As I'm sure you can understand a number of the families that we work with were not eligible for federal stimulus checks due to mixed immigration status or other kinds of

issues. Also folks working in cash economies. Not really having tax records to rely on, just coming out of incarceration, etcetera. I wanted to make this body aware that as an organization in our sixth year of operation, I was quite surprised that unfortunately although we applied for multiple city funds, until rise funds through Austin public health and the fund through the Austin community foundation, despite our history and our reach and our deep roots

[11:31:56 AM]

with vulnerable communities, we were not approved for any of those funds. We started fund-raising for relief funds the week after aid shut down. We started turning to our donors and speaking out and I appreciate the council taking affirmative action on this. That said, our people without funds made available again, our people may not have access to other kinds of funds that are becoming available of maybe not having a social capital or the ability to wait and call back agencies multiple times. We've heard from families that they called agencies again and again, not to be responded to and not to be able to reach anyone or being told they had to wait. And I understand that the demand is so high and that everyone is just doing the best that we can. But at this stage even though we have folks who are -- some are returning to work --

[buzzer sounds] Some are not able to.

[11:32:57 AM]

In sum I will finish by saying I really hope that the mayor can support us and that council will support us to make additional funds available to the equity office again so that organizations like mine can continue to contribute directly to families like the ones that we serve that are not getting help from any of the other larger relief institutions in the city.

>> Mayor Adler: Great, thank you. The next speaker that we have -- I think we called here [indiscernible]. Norma? Norma? What about Veronica?

[11:34:02 AM]

What about Paula Rojas?

>> This is Veronica? Sorry.

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

>> Hi, yes. I just wanted to speak? Regards to the rent relief am program. I would like to see if the funding would be increased so that more funding is available for our renters. I would also like to add

that if we can start filling out applications for our residents that are only rent and they're not wanting to fill out the applications or even trying to get the rental assistance. Us as property owners have taken a huge loss like every other company during this pandemic I think us being able to fill out the applications would help the property managers get secured rent. I also talked to other communities around our area to see if they're struggling with the same issues that we're having. You know, with residents not wanting to cooperate. So I think if we can get more funding granted-- we can get more funding granted I think that would help us a lot with residents being

[11:35:03 AM]

secured. Also and even help homeless prevention. And that's all I have.

>> Mayor Adler: Thank you. Next speaker is looks like Paula Rojas.

>> Okay. Hello, can you hear me?

>> Mayor Adler: Yes, we can. You have three minutes.

>> Okay, thank you. My name is Paula Rojas. I'm a mother, I'm a member of ccu, communities of color united for racial justice. We're a volunteer coalition that have been working to advance racial justice in Austin for years. And I work as a midwife. I wanted to begin by just really acknowledging each of you for holding this tremendous responsibility of

[11:36:05 AM]

keeping our city safe and economically stable during this pandemic. I thank you for taking on this responsibility. I want to speak to item 75. First of all, I want you to fully fund Austin public health from the federal covid relief fund of \$170 million. As we've been saying at ccu for years, now it's more clearer than ever what it would take to make our community safer, and that would be investing more significantly in public health. Imagine if we had begun this pandemic with Austin public health budget being as robust and on par with the Austin police department. We would be in a much better place to face the pandemic. And in terms of the funding for Austin public health we need it for contact tracing, investigation and to speak to what many latinx families

[11:37:08 AM]

talked about early with translating of materials. But I want to really focus on one other piece of the funding for Austin public health, which is funding financial assistance to vulnerable families. Of the 170 million, council, I know you have lots of competing priorities right now, but as human beings we must

prioritize those who are living on the edge economically in our city. As a midwife I work with hundreds of low income black and latinx families for here's and I'm really in close touch with many. Some who wanted to be on this call and then when we were told there was no interpretation I know a lot of people just hung up and that's why they're not still here. But many of those families have completely run out of resources now. The bigger crisis of this pandemic is economic. So in this moment I see

[11:38:09 AM]

possibility of Austin being an example of a city a prioritizes equity. I see that we could do it. We could come out of the pandemic strong by making sure that those most directly hit right now get substantial relief. So imagine a city where we could help those workers, low wage workers, not be on the frontline by having direct transfers of financial support for them -- for multiple months.

[Buzzer sounds] We support the economy, but we also support the health of latinx communities, of black communities, of those people of color are disproportionately low wage workers and we know that nationally and locally that low wage workers are losing their jobs more than anybody else.

>> Mayor Adler: You can finish your thought.

>> I'm finishing my thought. So if you can focus a

[11:39:09 AM]

substantial portion of the 170 million to go to direct financial support to families, we can come out of this strong. Thank you.

>> Mayor Adler: Thank you very much. Is Theresa bastion here?

>> I'm here.

>> Mayor Adler: All right, go ahead.

>> My name is Theresa, I'm a resident of district 8, a member of the Austin board of realtors, the chair of abhors legislative team and I've been serving this community for 11 years. I'm asking council to immediately allocate \$40 million to rental assistance that would be available for both tenants and landlords. Based on information I have seen in the news and on social media, there appears to be a misconception that all landlords have large profit margins and can sustain the absence of full rent payments and that they

[11:40:10 AM]

don't necessarily care about their tenants. As a realtor who manages a small number of properties for my clients, I'm here today to help correct this misconception. The property owners that I personally represent are not large corporate companies, but instead are individuals who only own one or maybe two homes in Austin. And they're terrified of the thought of going without rent payments. For example, one of my clients is currently stationed overseas with his family on a U.S. Military base in Italy. Their home in Austin is only home owned by that family and they fully intend to return to our community when his job allows. This military family relies on each month's rent to maintain and pay for their family home until they can move back to Austin. Fortunately their tenant has been able to pay rent during this crisis, however my client does have anxiety about what he will do if he's faced with the situation where his tenant can't make a rent payment because of the pandemic. His anxiety is compounded by

[11:41:11 AM]

the examples we hear from other property owners experiencing tenants who are purposely not paying rent and telling landlords they're not going to pay citing the council's 60 day grace period or the fact they can't be evicted because of the mayor's order. My client's anxiety resurfaces every time we near start of another month since the council placed the unnecessary covid restrictions on small landlords. This is the experience that all the small landlords I represent are going through. Small landlords shouldn't have to bear the brunt of the financial impact of this pandemic without similar relief and assistance options provided to others. Allocating additional funding to rental assistance and making it available for both renters and small landlords will go a long way to help everyone. Thank you for your time and public service during this crisis.

>> Mayor Adler: Thank you. The next speaker is Susan Horton. Is Susan Horton here?

[11:42:12 AM]

>> I am.

>> Mayor Adler: Go ahead. You have three minutes.

>> Thank you, Mr. Mayor and councilmembers for allowing us to speak. I'm honored. I am Susan Horton, a landlord, a small landlord, a realtor and President-Elect for the Austin board of realtors. I currently reside in district 10. I am here today asking for your support of number 75 for full rental assistance for landlords and tenants. I would also like to ask for better communication with the community as to the value of open communication between tenants and landlords. As a landlord I value my tenants, I care for them, in a very special way and I care for them because they take care of my property. I strive to protect the integrity of the communities that we own properties in.

[11:43:13 AM]



We value our tenants and appreciate their taking care of the properties for us for today and the future. What affects our tenants affects us and during this difficult time we reached out to our tenants more than usual, checking in on their needs and offering assistance, letting them know that we are in this together. We encouraged open communication and made it clear that we had no intention of eviction. Again, all we ask is they communicate what their needs were and that we agreed, and they all are real grateful for that. The ordinance came out and our goodwill just went down the drain. This ordinance has become a shield for some of our tenants to use as a means of not communicating and a free pass not to pay their rent. We had tenants send us the ordinance in the email saying this says I don't have to pay. Another says this says I have two months.

[11:44:15 AM]

We had our attorney create a document to explain what the ordinance said and the intent to better help our tenants understand that they would eventually have to pay all their past due rent. This ordinance put landlords in a very bad way. The trickle down effect of the tenant not paying rent leads to the landlords not being able to pay the mortgage, the taxes, the insurance and/or upkeep. Everyone suffers, including the community. I am asking again today on behalf of landlords and tenants that you support and allocate the \$40 million for rental assistance and create a pathway for landlords to directly access that assistance. I want to thank all of you for continuing to support the community with your hard work and your dedication and your leadership. And I want to thank you again for allowing us to speak. Have a good afternoon.

>> Mayor Adler: Thank you.

[11:45:17 AM]

>> Kitchen: Mayor?

>> Mayor Adler: Yes, councilmember kitchen?

>> Mayor Adler: Rather than sidetrack the conversation we're on right now, when we get to item 75, I want to make sure we speak to the process that we're going through in addressing the spending framework. And at that time I'll speak to this speaker's concern. I mean, basically what's been proposed to us is a funding approach that is more direct for landlords with regard to tenants and it's part of what - with regard to rental assistance and is part of what was shared with us on Tuesday.

>> Mayor Adler: Thank you. Mayor pro tem, we're up to speaker number 34, Jenny Williams. And then I'm going to turn this over to you and I'll try to come back. Colleagues, it is 11:45. 15 until noon. We have 11 -- about 15

[11:46:21 AM]

speakers to speak. If we do what we did last time we would stay with the speakers to be able to work through that and then we could either take a quick vote on the consent agenda or handle that after lunch. I would propose that either way we finish the speakers -- [baby crying]. Sorry. We finish the speakers and then we take a lunch break. And with a time certain to come back into executive session because I think we may lose some people. And we can do executive session and then come out of executive session certainly by 2:00 to be able to take the afternoon speakers. If we need to we could go right back into session, but that would -- into executive session, but that would enable us to take speakers. Councilmember Casar?

>> Casar: Mayor, I'm supportive of that and I want the community to know that I think the way I and others handled this last time is we're hearing your testimony, we just are

[11:47:21 AM]

turning our video off so that not everybody has to watch us chew our food, but we would all be here listening through the testimony even if our screen turns off, we're still here.

>> Mayor Adler: Councilmember kitchen?

>> Kitchen: I respect that approach. I do think that we need a break for lunch. Which I think you mentioned.

>> Mayor Adler: Yes. I was going to say let's finish the speakers and then take a break for lunch. After lunch into executive session. Yes, councilmember tovo.

>> Tovo: Mayor, I can make that work with the understanding that -- and I appreciate councilmember Casar, you letting our audience know that when we're not on on screen we may -- we have the ability to listen on our phones and otherwise. I would suggest that for -- it's just a little -- many of us are coordinating meals with our children and coordinating with their school schedules. So I understand the reason and appreciate the need to hear speakers because of the

[11:48:21 AM]

complication of that public speech. It does throw some of our households into chaos when we're delayed by 30, 45 minutes for lunch. I would suggest in our next meeting if we could take stock of how many speakers we have and let speakers over a certain time that we know would otherwise push that lunch period or -- I can articulate this better to ctm. I don't know if it's logistically possible, but if we could tell a certain batch of speakers that they would be best advised to call back at 1:00 rather than remain on the line, that would eliminate this challenge in future meetings and allow us to keep a pretty

rigid lunch schedule. But for today I support what sounds like the council's will to keep going through the speakers, and then to take our break.

>> Mayor Adler: I think the point is well taken and -- I did that this morning, looked at the total number of speakers, thought we would be able to get

[11:49:23 AM]

through. I didn't anticipate how much dais conversation we would have, also the logistics with the translaonti we had today, which was different. But anyhow, let's go then finishing speakers and then take the lunch break. And mayor pro tem, I'll turn it over to you to -- is Jenny Williams here?

>> I'm here.

>> Mayor Adler: All right. You have three minutes. Mayor pro tem, your dais.

>> Thank you so much mayor and councilmembers. Like the mayor said, my name is Jenny Williams and I'm speaking today on behalf of the Austin board of realtors and our 14,000 members. Thank you all for your leadership leadership and collaboration. As we as a community work together through these challenges,, these important issues brought forward through the pandemic, we have been so glad to hear 19 of you with the support for a pathway for small landlords to access rental assistance on behalf of their tenants and we ask

[11:50:24 AM]

that you allocate \$40 million of the funds the city has received from the cares act to direct rental assistance and that that program should include a mechanism for landlords to apply on behalf of their tenants. As you heard from some previous callers, property owners are struggling in this crisis just as tenants are. The majority of landlords operate on very small Harry wurzbach engines and any dip in -- margins and any dip can have an impact. They may consider selling a property they can no longer carry if they don't receive full rent for an extended period of time. No landlord wants to evict their tenants. As such our members have been proactive will I working with their tenants to set up payment plans, waive late fees and find creative solutions. Our members take pride in providing safe housing for our central Texas community and while it won't solve every problem, allocating \$40 million for direct rental assistance will go a long way to bridging the gap. As you make this policy

[11:51:28 AM]

decision and many others, please keep in mind that one in our members in Travis county live in single-family homes and the majority of those in rental units are owned by Austin residents. Just as many businesses in Austin and across the country are suffering, property owners are as well. A a retirees with an investment plan who have a few properties are looking at tax deadlines, grocery bills, medication and others and wondering how they will continue to make ends meet, as I mentioned before. The longer this goes on the less likely landlords with unresponsive and uncooperative tenants will be able to collect back rent. This could have devastating effects on our community and housing market, resulting in foreclosures and subsequently evictions. All of this will put further strain on our incredibly tight housing market. We appreciate your leadership during this difficult time and we're here to continue working with you as you make these difficult decisions. Thank you for your time.

[11:52:32 AM]

>> Garza: Thank you. The next speaker is Rachel manning. You have three minutes.

>> Mayor pro tem, she did not call in.

>> Garza: I'm sorry.

>> Rachel manning did not call in.

>> Garza: Okay. The next speaker is crystal Ericsson Collins. Are you on the line?

>> I'm here. Can you hear me?

>> Garza: Yes.

>> Good morning, mayor and council people. Thank you for your time. I'd first like to say that I really appreciate your flexibility in bending the rules on the interpretation issue. I come today to speak for those who are most vulnerable in our community. I want to thank you for the work that you've been doing through the rise fund and the equity office to support those in our community most impacted by covid.

[11:53:33 AM]

Likewise the community has stepped up. As a member of

[indiscernible] And a direct giver to mutual aid project of communities of color united, I know the firsthand generosity of this city. However, the amount that is raised by the citizenry will not be enough to weather us through this storm. We absolutely need our partners in government to continue to step up. Please continue to prioritize cash assistance. As you continue to distribute funds and begin the budget cycle, the budget of funding must be set on direct support to families who need it most. We know that what we do today determines what happens weeks and months down the road. I'm especially

concerned that those who were struggling before covid struck now are without any income, will be those evicted in the worst heat of summer or as we approach a second wave in the fall. We already had a situation with homelessness that we were struggling to solve. I fear that our population of unhoused will mushroom to an unfathomable number with a higher percentage of families and children.

[11:54:34 AM]

We must plan for this veteran wallty. Cash assistance allows the family to pay late fees or past due rent. It allows a woman to find a safe place to stay in a crisis situation. It allows families to prioritize their individual, unique needs. As we open up our economy we know that there will be increased cases of people infected. People who have to interact with the public for income and do not have the luxury of a stay at home job. Their lives matter. Lastly, as we begin to look at the budget cycle, I implore you to not get sidetracked from these needs into false narratives about what keep people safe. Homes, jobs and the basic need to keep people safe. Increases scrutiny and overpolicing do not. Thank you again.

>> Garza: The next speaker is Monica Guzman. You have three minutes.

>> I'm here, thank you.

[11:55:38 AM]

Good morning. I'm Monica Guzman, policy director for go Austin vamos Austin, speaking on item 75. In light of our state opening up the economy, resulting in increasing numbers of covid-19 cases, combined with the mass layoffs hitting hard in the retail, service, restaurants industries and informal work sectors, immigrants and people of color have been disproportionately impacted. Since 7.5 million of the rise funding, 15 million was not fully allocated to direct financial support as originally approved. The city needs to leverage federal funds to address additional menu needs such -- municipal needs such as small businesses, freeing up city funds. I need you to authorize at least 70 million in funding for ach transfers, direct deposits and prepaid cards for Austin's most vulnerable families. Now is the time for city council to take action and prioritize the needs of Austin's most vulnerable communities.

[11:56:38 AM]

Now is the time to call for equitable spending of covid-19 relief funds. We demand that the city of Austin dedicate at least 70 million in funding for covid-19 relief and direct financial support for Austin's most vulnerable residents. Finally, an added note for the record, district 4 residents who spoke earlier,

[listing names], community leaders in the gave coalition, were also speaking on item 75. And other Spanish speakers who did not respond when their names were called is due to their calls dropping. This

happened before at the may 7th meeting. The city must amend the call-in processes so residents are not denied the opportunity to speak in the communication system problems. Thank you.

>> Garza: Thank you. The next speaker is Jonathan Lowell.

[11:57:41 AM]

>> Mayor pro tem? If I may.

>> I'm here. Jonathan's here.

>> Okay. Hang on, Mr. Lowell. One second, please.

>> In response to the last speaker, I just wanted to reiterate what I said last meeting, with the technical difficulties. While we were sorting through getting that figured out, I strongly urge people to send us what they would have said otherwise as opposed to just not saying it. We all read those e-mails when we get them to the clerk or send them in. Your testimony can still be heard.

>> Garza: Thank you for pointing that out. In fact, I believe all of us have received e-mails from folks that may have received the deadline to call in and did in fact send e-mails. Thanks for reminding folks that they can do that. Mr. Lowell, you have three minutes.

>> Thank you. Hello, my name is Jonathan

[11:58:41 AM]

Lowell, and I'm (indiscernible). And I live in district 9. I'm speaking on item 75 and any other items that deal with direct cash assistance to vulnerable residents of the city. So first off, I just want to thank the city's effort around public health and economic assistance thus far. But I want to request that we continue and augment all programs that prioritize direct cash transfers to economically vulnerable families of Austin. At the beginning, it was said what is likely to be a medium and long-term crisis, and people of color have been and will be disproportionately impacted. I want the fundamental question for us to be, how can we make it easier for people to get the aid and resources that they need. And we need to remove the barriers, the bureaucratic structural, communicative or

[11:59:43 AM]

immigration status or whatever, for people to get aid. And I believe direct cash assistance is one of the best ways to do that. And I also want to, as a side note, related to the question of how to make things

easier, I hope that in the future we just -- the city just assumes that Spanish interpretation will be needed and plan accordingly. But I appreciate the flexibility of allowing it to

(indiscernible) To perform that for this meeting. But again, it goes to trying to make things easier and not create barriers for residents that cannot navigate that request system. Thank you.

>> Garza: I'm sorry? My co-worker just walked in. Roxannea mocia?

[12:00:45 PM]

You might be on mute.

>> Mayor pro tem, she did not call in either.

>> Garza: Okay. I'm sorry. If there was a list, I'm sorry, I don't have it. Bethany Carson?

>> Yes, I'm here. I also just wanted to note that my colleague also just -- is on the phone and didn't get to finish her remarks earlier.

>> Garza: Okay. I'll call on her right after you. You have three minutes.

>> Okay, thank you. My name is Bethany Carson and I'm here on behalf of grass roots leadership. And I would like to request that the council consider an item 75 in more equitable spending framework for the 170 million from the federal government. The proposed framework does not allocate money into the rise fund which is the only city fund that has helped with direct

[12:01:47 PM]

financial assistance to community members. And as others have stated here this morning, this is something that is really essential, and what we have passed so far, we're incredibly appreciative for. However, it only scrapes the surface of this ongoing economic crisis that is putting people who are disproportionately

(indiscernible) Much harder than other community members. So we are asking that the city allocate at least 70 million into that fund, and to particularly the equity office, so that this can be distributed in the most expectable way possible to the community members who need it. And specifically, at grass roots leadership, we work with many people who are already struggling, who are not going to receive the federal stimulus. Many of them are people who are seeking asylum, who are new to our country, bilingual Spanish

[12:02:50 PM]

speakers who have difficulty accessing the systems and application processes already in place. And people who were just beginning and struggling to find stability before this pandemic hit. There are also people who have been long-term members of our community who are immigrants, who are formerly incarcerated people, and they still have really urgent needs. We're hearing from additional people who have not received any current funding, who do need that support, who are still out of work, people who are not going to be able to pay rent, and we are going to start seeing evictions happen if we do not have additional funding. There are people who have lost their cars, who still need food assistance. So there are a multitude of needs that families have. They are the ones who are able to determine their needs better than anyone.

[12:03:51 PM]

And so I just really want to ask that if we are serious about promoting equity in our city, that we not follow the same allocation of money that is unjustly and inequitably depriving people of receiving these government funding, and that our city actually provide those economic resources, so that people who have been hardest hit by this crisis. Thank you.

>> Garza: Thank you. Alicia torres?

>> Yes. Hi. I'm here. I do want to thank city council for letting me call back in. And so I'll just do this --

(indiscernible) I am part of

(indiscernible) Austin. I'm here to speak to item 75.

[12:04:52 PM]

The current proposed spending developed at the city manager is not acceptable. Because it is not equitable. In this current spending framework, there is no money to the rise fund. Something that the community needs. This framework needs to be taken back to the drawing table and

(indiscernible) Needs to be allocated to direct financial assistance and Austin public health needs to be funded. The city needs to address additional needs and use these funds for additional money for rise funding. If we are to be prepared for the dark winter, we need to allocate the 170 million that the city will be receiving from the federal government in the most equitable way. I also want to ask city council why 81 that was passed

(indiscernible) And created the

[12:05:53 PM]



rise fund has not been executed as it was intended. The language and resolution calls for a total allocation

(indiscernible) As stated. From the total allocation

(indiscernible) Should be allocated with direct services, such as food access, rental and mortgage assistance, utility bills, case management, et cetera, and the remaining

(indiscernible) Should be allocated to the direct financial assistance such as transfers or gift cards. What has transpired is currently only about a total of 3 million has been invested in the second charge

(indiscernible) Allocated in direct financial assistance. I do not understand why it has been so difficult to be carried out as written, and voted on. The only question I have is, is it the mayor, or the city council itself that voted on the direct financial assistance and

[12:06:54 PM]

now don't want to support it. Is there any questions how this initiative was carried out or whether it was successful. I ask all of city council to reach out (indiscernible) That executed this initiative of direct financial assistance and listen to the difference that this direct financial assistance made in this critical moment that folks have received this help. I invite all of city council to really look at how the

(indiscernible) Carried out and ask that [audio distorted] -- the council take every step to make sure 81 is carried out how it was written out. Thank you.

>> Mayor pro tem, it's Leslie.

>> Garza: Go ahead, councilwoman.

>> Pool: I'm a little confused,

[12:07:54 PM]

because I thought today we were allocating. If somebody could speak to the concerns that the previous speaker just raised. I was not aware that we -- there were any slowdowns in that -- in the allocation of the rise funds.

>> I think that concern is the percentage that went to direct financial assistance versus direct services.

>> Pool: Of the 15 million?

>> Yes.

>> Pool: Okay. All right. Thank you for that clarification.

>> Sure.

>> Garza: Did anybody else -- no? Okay. The next speaker is Shoshana Craiger.

>> Hi. Yeah. Good morning, mayor, and city council. My name is Shoshana Craiger, and I represent a project in Austin

[12:08:57 PM]

dedicated to organizing tenants to (indiscernible) Their rights. I'm speaking on item 93 which gives the ability to ascertain whether their property has tenant protection under the federal C.A.R.E.S. Act. As you likely know, the C.A.R.E.S. Act ensures housing stability during this pandemic. These protections include prohibitions on notices to vacated until July 25th, and prohibitions of filing evictions until August 24th, and in relation to this item, no late fees. An exact list of properties does not exist. These protections are supposed to apply to federally subsidized housing with federally backed mortgages and those that take section 8 vouchers. National housing experts have estimated that potentially 50 to 60% of all rental housing in this country is covered by the C.A.R.E.S. Act, but there's no publicly available database that has a complete list of these properties. Housing advocates have been scrambling to compile that list.

[12:10:00 PM]

With legal aid and Texas housing, recently put out a map we believe is the most comprehensive list, but that is still not complete. On this crucial information, especially about properties which have only one to four units. Item 93 will allow tenants to find out if their property is covered under the C.A.R.E.S. Act and if they have these protections. This is especially helpful to prevent landlords from charging late fees. We've heard from a number of tenants that their landlords are charging exorbitant fees. Sometimes it's \$100 to \$200 initially and an additional amount for every day after. Hundreds of dollars on top of rent owed becomes insurmountable. Many of the tenants reside in single-family houses and right now they have no way to definitively find out if late fees are prohibited where they live. We have definitely seen landlords who we know are covered under the C.A.R.E.S. Act charging these fees. So we're pretty certain that

[12:11:01 PM]

those who are not publicly known are doing so as well. This ordinance gives tenants ability to have a modicum of control over their living situation in this chaotic time. It allows us as advocates to be able to say to the tenants, here's a template letter you can fill out, here's how you can report if your landlord don't comply with the city, and that the city will take action. It allows tenants to have a bit of power and control in a time when many rightfully feel powerless and demoralized. We're hopeful this ordinance will help tenants to be better informed of their rights and increase housing stability in Austin. Thank you.

>> Garza: Thank you. Gabriella Garcia?

>> Good afternoon. My name is gabby Garcia, I'm a tenant organizer with

(indiscernible). I'm speaking on item 93 regarding the C.A.R.E.S. Act tenant protection. This will help tenants in

[12:12:04 PM]

Austin.

(Indiscernible) We spoke to over 250 residents in the first few weeks. Many had lost their jobs or someone in the household had their hours cut and they were concerned about rent and potential late fees. There were those who had questions if they couldn't cover their rent for April. She had just been laid off from her job and only had enough to cover half. She was running low on food and was worried because it was more expensive to feed her kids. We didn't know if her property was covered by the C.A.R.E.S. Act so I gave her information about her rights and food distribution. I checked in with her again a week later and she told me she had borrowed money from friends. The rent at her apartment was

(indiscernible) And that would have been an additional \$136. Through outreach we heard stories like this over and over

[12:13:06 PM]

again. Most families don't have friends who could afford to loan them money, so for them having to worry about late fees added an additional layer of pressure and stress. Under normal circumstances late rent most likely impacts those who cannot afford to pay in the first place. In the covid world, low-income families are hit even harder. They generally don't have savings to fall back on and are forced to make difficult choices whether or not they should buy food or put themselves and families at risk to look for other work during the pandemic. Thank you for your time.

>> Garza: Thank you. Sorry, I moved away from my list for a second. Next speaker is Angela

[12:14:13 PM]

Valensuela?

>> Thank you to the council and mayor.

(Indiscernible) I'm a founder of a Saturday school that serves five east Austin schools in here locally. We're conducting research with our teachers, our students, parents and also we've branched out to conduct research among local churches that are Spanish speaking. Another entry point for me into this conversation is the relation I have with people in the construction area. And we are working with the school district (indiscernible) Partnership with aid, and we're talking about the needs of the parents that include internet access, and computer literacy. These are very, very big items, and of course, there's a whole other dimension of students getting lost to the system.

[12:15:13 PM]

It would be great to have digital equity, maybe the internet is a public utility. If it could be something that the city could lead on. In terms of the churches, I'm working with this, getting information along with Martha

(indiscernible) Who could not join us, but what we're finding is that the church members definitely need rental assistance. They didn't get under the C.A.R.E.S. Act for their church members or parishioners, or undocumented families access to the support provided by the C.A.R.E.S. Act. And full or partial rent would be helpful. They need food, masks, hand sanitizer, information in Spanish, contact tracing is something that they mentioned, so that churches don't get blamed for covid infections unnecessarily, when it's really just -- it gets imported into

[12:16:17 PM]

the congregations when they're meeting at 25% capacity. What we have is transportation needs, and with a suggestion that support for Latino task force, because that would bring in the much-needed cultural relevance in this response, and the task force could also be a point of distribution. The churches could be a natural point of distribution because they are an immediate relationship with their local congregations and communities, support for financial assistance and cash transfers, et cetera. In terms of the construction piece that I wanted to mention, I'm faculty at UT, I saw early in March construction, industry workers, I've been in contact with several workers, and the reason that we are in this situation has to do with governor Abbott's ratified

[12:17:19 PM]

(indiscernible) And Eckhardt. They're working right there across the Texas history center. These are not essential by any stretch of the imagination. They're afraid. They don't have -- and haven't had masks, hand sanitizer, gloves (indiscernible) And the like. The majority of the workers are people of color. This is discrimination. This is racism. And now that we know it was so predictable, that this is the community

that is most hardest hit. It's just really sad to not have the city as our last line of defense against the state of Texas leadership to protect our workers that has now created a public health crisis that's affecting the whole city. Thank you.

>> Garza: Thank you. I also appreciate you pointing out the -- many of the outcomes we're seeing are because of failed leadership at our state

[12:18:21 PM]

level. Things like sick leave and worker protection. So thank you for pointing that out. The next speaker, I received we received communication he was not able to join the call. But he would have been speaking in support of item 94. The next speaker is Rebecca Reynolds.

>> I'm here. Thank you for taking -- can you hear me now?

>> Garza: Yes. I was going to say, you have three minutes.

>> Okay. Great. Thank you. My name is Rebecca Reynolds and I'm president of the music alliance here in Austin. I'm speaking in support of items 95 and 96. Most importantly I want to share our very deep gratitude for the work and consideration all of you have put into these proposals. Specifically the inclusion of C.A.R.E.S. Funding for venues that will help our business owners to make the decisions for safety for their workers rather than fear of not being able to

[12:19:22 PM]

provide for their future livelihoods. Musicians are in a unique bind and there is no way for them to adapt under current circumstances. We have been inspired by the broad and bipartisan nature of support, independent music venues have begun to receive, beginning at the state legislature last year and in recent weeks in congress, and today at city hall. Austin's music venue community is committed to returning that support and inspiration. We will not forget the historic measures this council is taking to make sure shady grove are not lost in vain, but music will continue to have a place in our future far beyond this crisis. Please consider mva at your service to make the best use of resources for the greater good of Austin. Thank you.

>> Garza: Thank you. Our next speaker is Cody Cohen?

>> Here.

[12:20:24 PM]

Council members, good morning. I hope that the day finds you healthy, safe and in good spirits towards the work that you have ahead of you today. This is Cody Cohen from the red river cultural district. When we last spoke to council I spoke about the music venues by year's end. They are culture creators. The spaces where musicians' careers are built, and where fans flock to experience both phonic splendor and human connections. The (indiscernible) Viable to reopen under pandemic for some time. As Austin Travis county health authority Dr. Mark Escott said in the statement yesterday, it's going to be the last thing we turn back on because of the risk of exposing lots of people to one another, particularly individuals in the same household. Items 95 and 96 demonstrate bold and decisive steps towards addressing the economic disaster experienced by Austin's music

[12:21:26 PM]

industry. Short-term, C.A.R.E.S. Dollars will help navigate and

(indiscernible) Plus basic costs for crowds.

(Indiscernible) Deeply from personal savings, without C.A.R.E.S. Prospects grim for survival, even into the summer. Mid to long-term, the live music fund will be instrumental in employing musicians in starting the music economy, since tourism and festivals will not resume until 2021. We eagerly await this recommendation coming out of the commission's working group. Long-term, the economic development entity, transfer of land development rights, land trust and creative spaces project acceleration will be absolutely essential towards building a thriving music and cultural economy. We already lost beloved institutions. This will create better sustain ability for use (indiscernible). A special thank you to the mayor and council member tovo for leading these efforts and for council member tovo for adopting

[12:22:26 PM]

so many of the economic tools of the red river cultural district to help small businesses to restart in the district. Including elimination and reduction of fees for parking right-of-way and patio cafes.

(Indiscernible) Music and cultural tourism recovery. A big thank you as well to all the co-sponsors, council members harper-madison, kitchen and Casar, and council member Flannigan for his efforts of supporting live music. This is a beacon of light for the cultural tourism economy in these very hard times. We thank you all deeply for your leadership. May peace be upon you.

>> Garza: Thank you. Next speaker is Mary mergler on item 97.

>> Good afternoon, mayor Adler and council members. This is Mary mergler from the

[12:23:27 PM]

criminal justice project. I want to express Texas

(indiscernible) Strong support for 97, to end the city of Austin's contract to participate in the omni based program. Omni base is a program that allows for the Austin municipal court and other participating courts to prevent people from renewing their driver's licenses, when they do not pay the fines and costs owed to the court. This program has a profound negative -- [background noise] -- Already struggling financially by taking away their ability to drive simply because they cannot afford fines and

(indiscernible). Not having a valid driver's license creates

(indiscernible) --

>> Garza: Miss mergler, can you hang on one second? Can everyone please mute your phone, please? Please mute your phones. Thank you.

[12:24:31 PM]

[Background noise].

>> Garza: You may need to say it in Spanish.

>> Should I proceed?

>> Garza: Hang on one second.

>> [Speaking Spanish] Gracias.

>> Garza: Go ahead. I'm sorry about that. Go ahead.

>> Okay. No problem. Not having a valid driver's license creates barriers to employment since a valid license is often required to apply for and obtain many jobs, and it leads to a cycle of increasing debt and ins incarceration when people have no alternative but to continue driving to survive, and as a result get additional tickets and warrants for driving with an invalid license. It is particularly important during this time when so many people in our city are struggling financially that

[12:25:31 PM]

council remove this barrier to employment and to financial stability. Finally, I just want to add that there's no evidence that the omni based program is necessary to collect fines and costs. There are other large cities, including Fort Worth, Plano and Arlington that do not participate, and there is no apparent relationship between collection rates and court's participation in the program. It can be done without negatively impacting the court's ability to enforce its judgment. I urge you to support the city's contract

to participate in omni based, and to stop the harmful practice of driver's license suspension to collect fines and fees in Austin. Thank you so much.

>> Garza: Thank you. The next speaker is Emily Garrett speaking on 97.

>> Great. Thank you, mayor pro tem and council members.

[12:26:32 PM]

My name is Emily Garrett. I'm an attorney, speaking in support of item 97 which would end Austin's license program. I want to thank you all so much for considering this item. It makes a huge difference to so many people in Austin. Renewing your license, if you miss a court date or payment, you can't obtain your license until everything is completely paid off. What this means is all of these holds end up being paid holds, because they're not lifted until everything's paid off. Even if the original hold was failure to appear, even if a person appears in court and gets on a payment plan, that hold isn't going to lift and you can't get your license the entire time you're on that payment plan. People need to keep driving to provide for themselves and their families, so they end up getting more tickets while driving with an invalid license.

[12:27:34 PM]

People end up owing thousands of dollars, not because they're bad drivers, but just because of that cycle. The Texas defense project

(indiscernible) And we help hundreds of people a year in the omni base hold, and so many of the people we work with have just completely given up hope, and they say that getting their driver's license back is the most important thing that can happen to them. I spoke with one of our clients last night, and she was incredibly excited for this item. She told me how she just had become used to living in fear, and how she ended up passing that fear on to her children, telling them not to look out the window when she was driving because of a worry if her children made eye contact with a police officer, she would be more likely to get pulled over and get another ticket for not having her license.

(Indiscernible) Also mentioned that the program isn't necessary for collection rates. This makes sense from what we've seen on the ground. I have never talked to anybody,

[12:28:34 PM]

none of our clients or anybody with these holds, who have any idea what omni base hold is. All they know is that they can't get out from under it, they can't seem to get their license back, they don't really



understand why. And they've just given up all hope. So I think that this item is just going to make such a difference for so many people, and all of the people that we represent. Thank you so much for considering it. Thank you.

>> Garza: Thank you. The last speaker I have speaking on Austin housing finance, item 8, is Chifa Watson. Chivas Watson?

>> Mayor pro tem, he did not call in in advance.

>> Garza: Okay. And then I believe those are all the speakers. The rest are signed up for

[12:29:36 PM]

zoning. Is that correct, Jeanette?

>> That is correct.

>> Garza: Okay. The mayor mentioned a couple of different options. And so if we can -- I know some of us need to feed some co-workers. If we can get through -- my assumption is we can't get through consent quickly, so -- because I know that there are a couple of items -- the items I have on consent -- or pulled, I'm sorry, 75, 94, 95, and 96. Is there anything else that should have been pulled off consent? Council member kitchen?

>> Kitchen: Well, 48, there's another version, so I'm not sure if we're pulling that, or just talking about it.

>> I was hoping for the new version to go on consent if possible.

>> Garza: Does our city staff have any concerns with this not going on consent before the break? Is that okay if we wait?

[12:30:37 PM]

I don't know if there's a ton of staff on the line waiting.

>> We can work with either one.

>> Garza: Okay. Council member Tovo?

>> Tovo: Thank you. I think dealing with it after the break makes good sense. Would you mind just reading those numbers again? I think I captured some changes and corrections, I think there's one additional one, and that's 74, is that what you said? 74, 75, 94, and 95, 96?

>> Garza: I didn't have 74. But I'm happy to pull that item.

>> 74 is a zoning case.

>> I just misheard it then. I just misheard it. It's just 75, 94, 95, 96. And 38 to consider so that it can stay on consent.

>> I think we're going to go ahead and pull 38, because it sounds like there needs to be some discussion on it. Right now I have 38, 75, 94, 95, and 96.

[12:31:38 PM]

>> Mayor pro tem?

>> Garza: Yes, council member Flannigan?

>> Flannigan: The mayor posted an updated version of 95, that incorporated my amendment. So I don't need to pull 95. And council member tovo distributed an alternative version of my amendments from 96 which are fine, so I don't need to pull 96. If you would review my amendment for 94, my assumption would be it would be friendly, so it would not need to be pulled either.

>> Garza: I do accept it's friendly on 94, but is there any objection to my accepting council member Flannigan's 94 as friendly? Okay. Council member tovo?

>> Tovo: I'm sorry, we're just getting amendments in a lot of different places today and I'm not sure that I've seen that one. Would you mind -- if council member Flannigan just reminds us what that one is, I can see --

[12:32:38 PM]

we're getting information through the message board, from Katy, and from Jeanette. So it's just a little hard to -- that one I just don't know.

>> Mayor pro tem? Since we're not going to vote on consent, why don't we just -- we can just go into our lunch break now. It wouldn't matter what's pulled because we're not voting on consent right now anyway, right?

>> I just want to flag, mayor pro tem, that I do have questions on 95 and 96 and I thought it was pulled by council member Flannigan, so I didn't add that.

>> Garza: We're not going to vote on consent anyway, so we'll get all that straightened out when we get back from our lunch break, or what is and isn't on consent. So everybody's still fair game, so to speak, because we're not voting on consent.

>> My items are posted on the website, so you don't have to dig through e-mails.

[12:33:39 PM]

>> Garza: Thank you.

>> Thanks for that recap, because I think that's helpful. It sounds as if mayor pro tem Garza, you're comfortable with council member Flannigan's amendment to yours, and I'll review that. Thank you, council member Flannigan, to accepting my changes to your amendment. I think I have one additional one, an error in my own that I just need to correct. But hopefully that can still stand consent -- sorry, council member alter, you're going to pull those two. And then 38, we have a third version that got circulated by the clerk. Is there anything else, just so we're all kind of regrouping over the break? Are there any other amendments or revised ordinances -- I mean, revised resolutions that we should be aware of when we come back, so we can finish up the consent agenda?

>> I believe all the ones have been -- you addressed them all.

>> Okay. Thank you so much.

[12:34:42 PM]

>> Garza: Do I read the executive session script?

>> If you don't mind, since we know you're pulling 38, 75, 94, 95 and 96 from the consent agenda, I think you can go ahead and vote on the consent agenda and finish that, and then come back and talk about these. You can also read the executive session so you can take your lunch break and go right into executive session if you'd like.

>> Garza: That's fine. I didn't know if other people were concerned about what may have been felt like going through a consent quickly. I'm okay with that. Is there a motion to pass the consent? Items 1 through 45, and 75 through 96, but 38, 75, 94, 95, and 96 have been pulled.

(Indiscernible) Moved by council member pool. Seconded by council member Renteria. This is exactly what I was worried about. Council member kitchen?

>> Kitchen: Just to point out,

[12:35:43 PM]

just for the record, that items number 2, 23, and 27 and 44 were withdrawn from consent.

>> Garza: (Indiscernible) Okay, yes.

>> Did anyone actually pull 38? I thought we sent out the new version a couple of hours ago. If somebody wants to pull it, that's fine. I didn't hear anyone actually pull it.

>> Garza: I think there were a couple of questions. If you don't mind, I'll go ahead and pull it. So we can speak to it. Council member alter, did you have something?

>> Alter: Yeah, I just wanted to provide some direction to staff. So items 21, 88 and 90 include language that describes using the rise funds we allocated from the general fund emergency reserve to use toward a variety

[12:36:44 PM]

of things including utility assistance. I think these make sense, and then also to make sense in certain circumstances that these dollars go towards utility expenses. However, I want to flag for our staff, we're working with these nonprofits that are utilities customer assisted funds which received additional allocations in the face of covid-19. And utilities expanded eligibility for those funds. I'm raising this, because in the Austin water oversight committee, we heard from staff that \$270,000 was distributed in the month of April from Austin water assistance fund. I imagine our need is likely much greater than that. So what I wanted to do was ask our staff to please ensure our partners distributing financial assistance are given the latest information on the funds available to the utility assistance so we can maximize the amounts coming from the utility, for utility relief and free up other funds for other needs. I'm not suggesting any change to

[12:37:44 PM]

the contracts or items, because I believe there will be circumstances where people may need to use rise funds for utility assistance. But I do want to make sure we take an extra step to make sure our partners have the latest information on our utility assistance programs, so they can tell people about the expanded eligibility in funds available and stretch the rise funding further. Because there is more funding at least in Austin water's pocket that's not been tapped yet at the level one might expect.

>> Thank you, council member.

>> That was all. Thank you.

>> Garza: Council member tovo?

>> Tovo: I think I need to pull another item. I'm looking for its number. I just wanted to thank the staff for just being so sure bringing these contracts forward to respond to the current crisis. I just wanted to thank you, manager, and your staff for all that work.

[12:38:45 PM]

We continue to get questions, as council member kitchen reiterated, the items to

(indiscernible) Removed from the agenda today. I do want to emphasize that our Austin resource recovery does continue to service areas for individuals experiencing homelessness are using the

(indiscernible) Program, increased from two times a week to daily. That's one of the points that keep coming up in the e-mails I'm receiving and questions from the media, that those are also

(indiscernible) Providing sanitation services and outreach to individuals experiencing homelessness and making sure they pick up the (indiscernible) So the environments can be as clean as sanitary and safe as possible. That's really the only point I wanted to make about that. Again, I may pull something here in the next 30 seconds, I just

[12:39:48 PM]

need to ...

>> Council member kitchen?

>> Kitchen: I actually don't need to pull 38. I'll just say that I reviewed the version 3 that was sent out, and it does include the

(indiscernible) Task force. I'll just say, and I know this is the intent, and I'm sure the city manager will

(indiscernible) Creation of the task force and to include the organizations that have been speaking to us about the importance of the task force as well as other organizations. So I don't need to pull it.

>> I haven't reviewed 38, because I thought we were talking about it. So we should keep it.

>> Okay. It will stay on consent. Are there any other comments on the consent?

>> Actually, I just asked for us to not to put it on consent, 38, because I haven't reviewed the changes of the new version.

[12:40:50 PM]

>> Garza: I know.

>> It would stay on consent.

>> Garza: Did I say that?

>> Yeah.

>> Garza: Sorry. I thought I said are there any other comments on consent. Okay. So the pulled items are 38, 75, 94, 95, 96. Any comments on the items on consent that we're about to vote on? Oh, council member tovo, you said you might pull something.

>> Tovo: I'm really struggling to figure out what number it is. I would like to pull the contract for mask purchases for the Austin police department. I have just a couple quick questions on that one that I would like to ask. I know this was briefly the discussion at the work session, but in looking through the transcript, I don't believe the question was sufficiently answered. So I just need to get a little bit more information about that, if somebody would please tell me what number it is.

>> Item 18.

[12:41:51 PM]

>> Tovo: Thank you very much, city manager.

>> Garza: Okay. So I have 18, 38, 75, 94, 95, 96 are pulled from consent. Council member pool has made the position, seconded by council member Renteria. All of those in favor of the consent agenda, please raise your hand. That passes. Mayor, are we going in executive session? You're on mute. And now you disappeared.

>> Mayor Adler: Oops. I hit the wrong button. Thank you. Thank you, and everybody in the dais for working your way through that. What we're going to do now is go into -- we're going to break for lunch. We're going to pick a time. That time we will come back into executive session, as opposed to

[12:42:52 PM]

coming back to this meeting. I'm going to recess now to go to executive session. Let's pick the time when we convene that. We'll do the executive session. We'll break at 2:00 to do the speakers that have signed up, and return to executive session if we need to. As close to 2:00 as we can, depending what's happening in the room. So that's the process we'll follow. So without objection, the council will now go into closed session to take up three items, 551.086 of the government code, under that we'll take up item 52 which is Austin energy resources. And we'll take up legal matters related to item 53 which is the election, 2020 election code. And then pursuant to 551-072 of the government code, we'll discuss the real estate matters

[12:43:52 PM]

related to item 98, which is the UT (indiscernible) Discussion. It is now 12:40. Do you think we could get into executive session by 1:30? Looks like we can. So at 1:30, let's make sure we're in executive session. And with that here, at 12:42 -- council member tovo?

>> Tovo: Yeah, mayor, apologies. I'm going to put 18 back on the consent agenda given our schedule today, and I'll connect with purchasing, whoever the appropriate entity is, to talk about the question that I believe mayor pro tem Garza brought up P the cost of those items. I still don't understand the cost. I'm certainly going to support the acceptance of the grant funds so I'll just leave it on consent.

>> Mayor Adler: Since you already voted on the consent.

[12:44:52 PM]

Let's vote for 18. Council member tovo makes that motion. Seconded. Those in favor of 18, please raise your hand. Those opposed? It unanimously passes. 12:44, we'll recess this meeting and see you at 1:30 in executive session. P.M.]

[1:56:00 PM]

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[2:41:39 PM]

>> Mayor Adler: We concluded our discussion of competitive matters, related to item e-52, while we were in executive session. It is 2:41, and we are now back into our regular meeting. We still have additional items to do in executive session, but we stopped executive session so that we could get out in order to hear the speakers that have signed up to speak on the zoning cases. So do we have any speakers that have signed up to speak on something that has been postponed, or otherwise moved, withdrawn? I have speakers signed up.

>> Mayor? 62 is scheduled to be postponed.

[2:42:41 PM]

>> Mayor Adler: Which one?

>> Kitchen: 62.

>> Mayor Adler: 62? Okay. Is 54, 67, 68, 79 and 74 still moving forward?

>> Excuse me, I got disconnected.

>> Mayor Adler: We can't really hear you, Jim.

>> Okay. Sorry. Can you hear me now?

>> Mayor Adler: Yep.

>> Okay. I believe all the speakers that we have are on items that are going to be discussion items.

>> Mayor Adler: Okay.

>> I don't think we have any speakers on postponed items.

>> Mayor Adler: Then let's go ahead and hear the speakers and then go back into executive session.

>> Wait, wait. Sorry.

>> Mayor Adler: Yes, council member kitchen?

>> Kitchen: Sorry, mayor, I didn't mean to interrupt. I couldn't hear Jerry. Jerry, item 62 is listed for

[2:43:42 PM]

postponement. Did you say something different than that?

>> No, 62 is listed for postponement. In the speaker list, it looks like I have Monica Guzman to speak on that, but she's listed as neutral.

>> Mayor Adler: All right. Is Monica here?

>> Yes, I am.

>> Mayor Adler: Do you -- despite this being postponed, item 62.

>> Yes.

>> Mayor Adler: You're okay with speaking when that item comes up? In June?

>> I would rather say something now. I realize it's postponed, but I would appreciate my three minutes.

>> Mayor Adler: Okay. So as our custom, you would speak on whether or not you would want to have it postponed or not.

>> Oh. Okay. I was not aware of that.

>> Mayor Adler: Why don't you think about it (indiscernible) In front of you.

>> Okay. That's fine.



[2:44:42 PM]

>> Mayor Adler: Okay? Is Angela Garza here?

>> Yes, sir.

>> Mayor Adler: Okay. And by the way, colleagues, I'm going to let the applicants themselves speak when their cases get called as we're deliberating them so they're here to be able to answer questions. But Angela Garza, why don't you go ahead. You have three minutes.

>> Yes, sir. Thanks, city council and mayor to allowing us to speak on this. This project has been years in the process already. And it's one of the most incredible projects that's happening in the eastern crescent to unite so many incredible people that have been working on it. Eastman contact team, citizens, developers, I would like to call on the -- we like to call them just like legend developers because they have really worked hand in hand to try to get people's input as this process moves along. I know that they're asking for

[2:45:43 PM]

about 400 height increase. We have worked with Heather, we have worked with the commissioners. They were actually asked to do something much stricter to meet the guidelines. The beauty of this project is no one is being displaced. No one is being replaced. They've taken an incredibly

(indiscernible) Area that was industrial and they're beautifying it, working hand in hand with nature. And that's why it's going up, so they're not taking more

(indiscernible) On the bomb and

-- on the bottom. You know, we have inclusiveness of our colored people in the area, too, to have an opportunity to shoot for these jobs, and women, and entrepreneurs as well. The more beauty of this, it's going to connect the green line. The green line stop is going to come all the way from Elden in. It's been a tremendous amount of work. And look at the actual -- if you

[2:46:44 PM]

look at the energy source they're using, there's only one other person who has this energy source in the world and that's Warren Buffett, and we have it right in our back-yard right here, so we're not taking away from the beauty. These developers really stepped up during covid. They offered their property as a backup hospital to our city leaders in case we needed it, because they have a seating area. They pivoted to provide to the community as well. They pivoted to provide masks as well. They're very community

included here as well. So I can't say enough. This is just one of those beautiful projects that is going to be amazing in that we are asking for all your support on, because it's just uniting projects with our community and everybody has been involved and hands-on and made sure they have taken the conscious effort to be involved with this as well. Thank you so much.

>> Mayor Adler: Thank you.

[2:47:44 PM]

Next speaker is John Aaron?

>> Yes, I'm here.

>> Mayor Adler: All right, you have three minutes.

>> I have signed up to speak on two separate cases. Should I address them both?

>> Mayor Adler: You have three minutes. You can use them however you wish.

>> First case is 54, which Angela just addressed. I'm speaking in support of this pda. As Angela mentioned, it's coordinated regularly dating back to early 2019. We feel that along the creek, it provides a couple of benefits to the community. One is it allows the available far to be built in a much smaller footprint which in turn has more of the sites preserved to usable green space and makes land available for the proposed civic amenities. And second, it can act as a magnet for economic development and job growth.

[2:48:45 PM]

We supported the spirit of the planning commission's recommendation to hold it to 60%. But we understand that the more realistic number to them is closer to 65. We support increasing that up to 70% if it allows the owner to build civic amenities and mobility connections on the master plan. The second case I'd like to speak to is number 67. And I'd like to speak in opposition to the neighborhood plan amendment there at 3500

(indiscernible) Road. The contact team along with the Springdale neighborhood association met with the owner representatives in November of 2019 in April of 2020. During those meetings and over time coordinating in between, we asked for certain concessions from the owner that would allow to provide support but were ultimately unsuccessful. The concessions included providing at least one affordable unit (indiscernible),

[2:49:45 PM]

a commitment to limit impervious cover to 40% to minimize the risk to the neighbors downstream which runs through the site and limiting access to Springdale road only. The owner refused to the concessions. Some may write this off as just another neighborhood for the upzoning of the property, but this is not the case, if anything, we tried to push for more Progressive development. What we asked the owner to provide is (indiscernible) Detailed elsewhere in the Idc and is consistent with the city's goal for future growth. During the hour that the planning commission deliberated over these cases, not one commissioner asked about or acknowledged the input by the community which was a result of hours and hours of coordination. So I ask you, please, don't ignore it now. Thank you for your time.

>> Mayor Adler: Thank you. Next speaker, Monica. Do you want to speak to the postponement?

>> Yes, I do.

>> Mayor Adler: Go ahead.

[2:50:47 PM]

>> Good afternoon. I'm Monica Guzman, policy director for (indiscernible), item 62. I am aware it's postponed. I support the postponement in hopes that the city will take the time to do the necessary studies, because the runoff from this complex could impact water quality and increase flooding downstream along onion creek. We learn from history and want to remind the council that the historic floods of 2013 are not a one-time risk. Climate change and new development both upstream and downstream from the site need to be considered in determining the impact. Thank you.

>> Mayor Adler: Thank you very much. Next speaker is Zenobia Joseph.

>> Thank you, mayor, council members. I'm Zenobia Joseph. Did you say number 67 was

[2:51:49 PM]

postponed?

>> Mayor Adler: Item, which number?

>> 67? It's 3500 pecan springs road.

>> Mayor Adler: 67, I think is still with us.

>> Okay. So my comments specifically are related to the cultural significance and historical significance which is on page -- well, it's actually question 8, on page 4 of the document. The applicant basically said that it was not applicable. And I wanted to just call your attention to the African-American rules of Travis

county celebrating 100 years of life. The Travis county historical commission, the 214-page document includes

(indiscernible) In the area. One of the concerns I have is if you look at page 15 of the document, you'll see the flooding that occurred in 2015, 37-year resident actually included that in the document. And that's Mr. Gray's property. The only community benefit

[2:52:49 PM]

that's stated is basically sidewalks and storm water drainage infrastructure. And I wanted to ask you to recognize that the lowest -- when the property is actually built, which is approximately 25 condos, that the elevation on the lower floors should be higher than the floodplain, but there was no mention of that by the applicant. I want to refer you to the concerns on page 15 of the document, and basically there's some traffic concerns there. But mine is specifically related to transit. If you look south of the property at touch stone, the corridor actually is across Springdale, so across the street. There's a silver \$7,000 bench right across from touch stone. There's no pedestrian beacon. I'll call your attention to the 2009 corridor study, what's relevant in that is 70% of pedestrian fatalities occur midblock. Capital metro, the city of

[2:53:51 PM]

Austin and transportation institute were the ones that did the study, yet this is a midblock stop. I would ask you to recognize that during the planning commission meeting on April 28th. I raise these concerns and staff did not mention anything in the backup materials. I would ask you to respond to how items get from the planning commission to council. My written testimony is not a part of the backup materials. I would ask you to at least ensure that becomes a part of the actual record. The last thing that I'll mention, and I think it's really important, is to reserve a percentage of units for teachers and people who are at the 80% of median family income which is approximately \$52,000, and that was not discussed at all. I just want to call your attention to the fact that the current code would only allow two dwelling units in the

(indiscernible) To go up to 25 condos. So you would still get a return on investment if you reserved a

[2:54:51 PM]

couple of the units for affordable ownership. And if you have any questions, I'll answer them at this time.

>> Mayor Adler: Thank you.

>> You're welcome.

>> Mayor Adler: All right. Next speaker is Chris ring.

>> Hello. Can you hear me?

>> Mayor Adler: Yes. Go ahead. You have three minutes.

>> Yeah. I'm speaking in opposition to item 67 and 68. My name's Christopher ring and I live down the street from this site. My address is 4809 pecan springs road. Again, I'm talking about 3500 pecan springs road. In 2015, next door to me, there was a zoning change request from sf-3 to sf-6 to replace three single-family homes with 38 condominiums. In that case, the developer

[2:55:53 PM]

worked with the city and neighbors to make his project better, and ease the impact on the neighborhood. Our meetings produced two documents, a conditional overlay and a restrictive covenant, and resulted in the neighborhood association voting in favor of supporting that zoning change. The first step, the neighborhood took to achieve that accomplishment bass in 2015 was opposing the zoning change. Today five years later, I'm opposing the neighborhood plan amendment, and also oppose granting the zoning change as it is initially presented to date. I need assurance it will be compatible with the neighborhood in a straight sf-6 zoning change cannot do that on this lot. If the lot oriented towards Springdale road, it would be different. It fronts on pecan springs road. The applicant agrees it would be

[2:56:54 PM]

best if vehicle traffic was restricted to Springdale road but cannot assure us that will happen as it is up to the transportation department. Exploring the possibility that Springdale access can be assured is a good start, as that is where we have found common ground. The neighborhood is okay with higher density housing along Springdale road and 51st street, and the neighborhood plan reflects that. I'm asking that city council reject the neighborhood plan amendment, and zoning change as presented today, and that the applicant work with the city and neighborhood to better delineate the process in the end product. I can answer any questions. All right. Thank you. Back to mute.

>> Mayor Adler: Is Ellen Scott here?

>> Mayor? I'm sorry, I did have a question

[2:57:54 PM]

for the speaker.

>> Mayor Adler: Okay.

>> This is Ellen Scott.

>> Mayor Adler: Hang on one moment. Hang on just a moment.

>> Okay.

>> Mayor Adler: Council member tovo has a question for Mr. Ring.

>> Great. I'm here.

>> Tovo: Thanks so much. I just want to be sure I'm understanding your request. So you're asking the council to, at this point [bell ringing] Vote against the application, but as I understood your comments, you would be willing to sit down with the developer and believe there's common ground there to get to some shared --

>> I think there is. From talking to other neighbors, I believe there's potentially support for this. But, you know, we need to hammer out some details, such as, you know, the big one being it's frontage, you know, the orientation. If we could get it off the quiet

[2:58:55 PM]

street and have it orient more toward Springdale road, it will give us smoother transition into the neighborhood. It would be a lot more compatible. And get -- you know, in the construction stage and in the final product. So, yeah, the answer to your question directly is requesting that you would deny it, both those today, 67 and 68, and I guess direct the applicant to meet with us further and be a little more receptive to our input an he has been.

>> Tovo: Okay. Thank you very much for clarifying that, sir.

>> Sure.

>> Mayor Adler: Okay. Next speaker is Ellen Scott.

>> Yes.

[2:59:56 PM]

That's me. Hello. Mayor, councilmembers, I'm speaking on the agenda item that was just spoken on. I'm Ellen Scott. My family has lived on pecan springs road, two doors down, since 1983. I'm opposed to council's approval of the zoning request as it has been presented without the requested restrictions and/or conditions. As one of the representatives of the Marlow heights neighborhood, I have the

responsibility of communicating some of the concerns that the residents hope can be addressed. We were able to secure a valid petition, 33.33% eligible signatures. Additionally, we have also collected a list of 28 neighborhood stakeholders outside of the salad petition area who have concern. The members of tssna voted against the zoning change on two separate occasions. It was again unanimously voted

[3:00:57 PM]

down at our contact meeting. Nevertheless, planning commission approved it. For the record, I was signed up to speak at the planning commission meeting on April 28th and was cut off from the queue before my turn. Laurel heights is a unique area. Pecan springs road is a narrow 27-foot wide, cut-through street that connects one major corridor to another. Springdale to 51st street. I would like to request a conditional overlay limiting the access of the property to Springdale road. Atd's most recent study of Springdale road was completed in 2015. The traffic counts have changed drastically since then, resulting in increased density and the reconfiguration of Springdale road. When driving north on Springdale road, there are very real safety concerns. As a motorist, there's a middle lane to turn left onto pecan

[3:01:57 PM]

springs road, that hill creates a blind spot that affects the driver's field of vision. Everyone in my family and many neighbors have almost experienced a head-on collision with a driver unlawfully using the middle lane to pass vehicles going south. Also dangerous is turning left from pecan springs road onto Springdale for the same reason. I ask that council deny the request with conditions, or postpone the first reading and instruct the applicant to meet with the neighborhood association and the contact team to collaborate on a solution that accommodates growth and fits the existing context, keeping in mind the safety and quality of life for everyone involved, new and old. Thank you all for your service and for allowing me to have this platform to speak. I can answer any questions you have.

>> Mayor Adler: Councilmember kitchen?

>> Kitchen: So, I just wanted to

[3:02:58 PM]

confirm that -- that -- this is Ms. Scott; right?

>> Yes.

>> Kitchen: And you represent the neighborhood association? I just wanted to confirm that you are interested in continuing to work on a solution, and so you would be amenable to postponing it today? Is that what I heard you say?

>> Well, the best way to be able to get everyone involved and come up with a solution is what I would like.

>> Kitchen: Okay. All right. Thank you very much.

>> All right. Thank you.

>> Mayor Adler: Thank you. The next speaker is cliff Scott.

>> Hello. Can you hear me?

>> Mayor Adler: Yes. Go ahead, sir.

>> Yes. Mayor and councilmembers, my name is cliff Scott. I've lived at 3312 pecan springs road for 37 years.

[3:03:59 PM]

[Indiscernible] No conditional overlay on this project. I am concerned about the changes being considered for the property at 3500 pecan springs road. About half the property lies in the hundred-year floodplain, according to the floodplain map of 2018. Since that time, numerous developments have sprung up on the fort branch and north fort branch of boggy creek. Those creeks converge at the northeast corner of this property. Our house is two doors down, west. I've seen several flooding events on the creek before additional developments were added, you have with which was in may of 2015. The water flooded over Springdale road on the northeast side of the property, closing Springdale road

[3:05:00 PM]

for most of the day. My wife submitted a video on 5/20. If possible, y'all could view that. Since impervious cover can affect the floodplain, I'm concerned that more of this site will be prone to flooding with the 2017 atlas floodplain shows. It is already a small parcel of land and will no doubt need a detention pond.

[Indiscernible] Will be critical to prevent it from being inundated with flood waters which would obviously be bad for water quality and flood control. There's erosion occurring along the creek west of the property that is undercutting trees. They will eventually fall and could possibly obstruct flow if they were to get stuck at the bridge. With the increased runoff due to the impervious cover from this



[3:06:00 PM]

and other recent development, this could lead to more flooding downstream as well as upstream. This project cannot do anything to help the upstream erosion concerns. I believe that special attention should be given to the plan's detention pond design when that is available.

[Indiscernible] Make Austin great. Let's take care of them. I vote no or abstain, absent, conditional overlay recommended by the speakers today. Thank you for your time. Do y'all happen to have that video? Hello?

>> Mayor Adler: Hello? We don't have it to pull up at the meeting now.

>> Okay. It's pretty impressive.

>> Mayor Adler: Okay. Thank you.

>> It's very short.

[3:07:02 PM]

>> Mayor Adler: Thank you. Is a. J. Springdon here? Go ahead, sir. You have three minutes.

>> Good afternoon, councilmembers. My name is a. J. [Indiscernible]. I live at 3408 pecan springs road. I'm adjacent property owner to 3500. I was born and raised in east Austin. I'm a holy cross high school baby. Been 30 years on pecan springs. I'm in opposition to both items 67 and 68. I oppose the rezoning of 3500 pecan springs road from sf-3 to sf-6 with the intent of the developer to build 24 units on a buildable area of approximately 1.5 acres. I think 24 years is way too many

[3:08:04 PM]

for this neighborhood. There are already 55 residential households in the entire 4th street -- 4th street for this neighborhood. Pecan springs road,

[indiscernible], Round Rock trail and Marlow drive. To me, a more compatible rezoning is the sf-5 with urban family residential with 15 units or less. This would be more characteristic with the neighborhood and the developer will still profit with market rate units. I also feel that the developer was less than straightforward and elusive with the neighborhood and planning commission, i.e., at the planning vision, v2, v3 meeting,

[3:09:12 PM]

site plan, the developer's representative showed an overlay of 24 gray rectangles on the watershed zone map. I'm sure the development has more insight -- insightful site layouts with several years of planning in the works, but feels a need not to disclose it at this time. The developer -- number two, the developer's representative would like to showcase Springdale creek development to the north of 3500, but failed to state that this is a five-plus-acre state, no preexisting neighborhood in close proximity. The sidewalk was reduced from eight feet down to five feet. Number three. A letter of concern to the pss neighborhood association on the removal of trees --

[3:10:14 PM]

[bell ringing]

>> One big tree, several small trees, 100- to 150-year-old, 45-foot trees, will all be --

>> Mayor Adler: You can go ahead and finish your thought.

>> All right. Small trees equal to one big tree to improve the environment. This is urban like neighborhood of diverse residents --

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

>> Thanks for your time, and any questions?

>> Mayor Adler: Thank you. Is Benjamin burger here? Benjamin Berger? What about Janice weeks?

>> Yes.

[3:11:16 PM]

Excuse me. Janice weeks is here. Yeah.

>> Mayor Adler: Ms. Weeks, you have three minutes.

>> Thank you. Thank you very much. I'm sorry?

>> Mayor Adler: There's some people that have to turn off -- you need to mute if you're not speaking. Ms. Week, go ahead.

>> All right. Thank you very much, Mr. Mayor and councilmembers. I am speaking today in opposition of the agenda, you already know, for 67 and 8 as they are presented today. I am on the petition of 28 or 33; it was growing as I have only known about this a few days without being -- seeing signs posted. And with the covid going on, I'm not communicating very much with

[3:12:19 PM]

people I see, passerbys. I live at 4644 Marlow drive, if I haven't said before, just a stone's throw from pecan springs. The front of my home is a natural habitat space. It's approximately 40 feet wide and goes the complete length of my front, so it really keeps me from striking up an easy conversation to find out what's going on. I guess that's the main reason that I'm hoping that there would at least be a postponement with this going forward. I agree with the number of proposed spaces that there really

[3:13:20 PM]

is only 1.5 acres of usable space, and it just seems to not make sense that there could be smaller stacked units, 20, perhaps 12 to 16, might be a better number, just making them smaller does not make them more affordable. Would there be affordable for people within the area, if that is one of the developer's purposes. Also, the traffic in the two years that I've been in the neighborhood, I moved here exactly for the purpose -- excuse me -- exactly for the reason of

[3:14:22 PM]

the space, the wildlife. My back is also a Texas yardscape wildlife, area 2, and I take them very seriously. And I appreciate the wildlife diversity, and I appreciate the diversity that is in our neighborhood, and I want to see that continue and safety continue. And so we need to have traffic under control --

>> Mayor Adler: Thank you.

>> Thank you very much.

>> Mayor Adler: Okay. Great. Thank you. Is Matt Bradford here? What about Erin ronder?

>> I'm present.

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

>> Thank you.

[3:15:23 PM]

So I'm here to discuss item number 63, diamond forty-two, and item 6, pecan springs. I'm the president of the hog pen neighborhood association in district 1 and also member of the east mlk contact team. Very shortly -- item number 673, diamond forty-two, Sally gaskin approached the east mlk contact team

in August of 2019. She was referred to the hog pen association wherein she provided a community event at givens rec center on September 17th where the neighborhood came together and asked questions about the project. By October of 2019, we received an email from Sally gaskin saying that they were going to give up on that project and moved over to other projects that they were working on. And we also received a letter

[3:16:25 PM]

from Mr. Mosley saying that they had given out that project and that they may attempt to pick it up again in the spring. We have not heard anything at hog pen neighborhood association or east mlk contact team in the following months. Also, the original ask was nf-2. Now I see it surprisingly on today's engine as an sf-6 ask. We presented as both neighborhood association and the east mlk contact team our requirements for gaining neighborhood support for any project, and we haven't seen any response to those questions since October of 2019 when Sally gaskin emailed us to say they were abandoning the project. So the neighborhood association and east mlk contact team has not

[3:17:27 PM]

provided support for this project, and I hope that you guys hear that. Item number 67, pecan springs, has already been talked about repeatedly today. I just want to clarify the timeline. In March, on March 14th, pss & a voted to not support, and then in April, unanimously voted to not support this project. It was brought to the east mlk contact team. After much deliberation on April 20th, 12 of our members voted in support of writing a letter of opposition for this project. Only one member voted neutral on the topic. And then on may 18th, it appears that we had a meeting, and it appears that you guys at the hearing on the 28th of April, didn't even address the fact that both the neighborhood association and the east mlk

[3:18:29 PM]

contract team --

[buzzer sounding]

-- Had provided letters of opposition. Let me say that our digital divide has exacerbated participation on all levels of this project and it must be ameliorated. Thank you for what you do.

>> Mayor Adler: Thank you. The next speaker is

[indiscernible]

>> Thank you, mayor Adler and Austin city council members. I'm co-founder and executive director of urban roots. We're neither in favor more in opposition to agenda item 74,

[indiscernible] Rv park request. We're grateful for the time and support of councilmember harper-madison, mayor pro tem Garza, councilmember tovo, and councilmember kitchen, who helped negotiate accommodations for the neighbors. We appreciate the owners, the applicant's efforts to

[3:19:30 PM]

accommodate some of the neighbors' concerns and we're grateful to have the chance to increase parking at the end. However, we continue to have safety concerns that have not been adequately addressed. As mentioned, we believe that the road cannot safely accommodate the amount of traffic for the campground project. As many people know, it's very substandard, no right-of-way, no sidewalks, it's pinned in between south walnut creek bypass and a hundred-year floodplain. In account, in the atlas '14 flood map, [indiscernible] To make it to the campgrounds, in the hundred-year floodplain. We appreciate the applicant's efforts to include any restrictive covenant that would include, at the bridge crossing bony creek, to enhance the safety of vehicles and pedestrians crossing the bridge, as well as caution signs in each direction. However, these improvements do not fully satisfy our safety

[3:20:30 PM]

concerns. The bridge that goes up to boggy lane, boggy increase, is in the floodplain and the city has declared the bridge to be the fourth worst bridge in needed repair. This bridge flooded twice in 2014 stranding residents, for the record, serious, and we are using

[indiscernible] At our farm. When it thunders, we evacuate our property. No community members have ever been at risk. What would happen when boggy creek floods again, and if there's a fire or medical emergency in the campground, the emergency vehicles would not be able to cross the flooded boggy creek. With such viewable infrastructure, it is unsafe. So if council approves the rezoning of this property, we ask that the city respond to our safety concerns and commit to information in the bridge and road infrastructure that can help minimize any risk. Thank you again for your consideration and I'm happy to answer any questions.

[3:21:31 PM]

Thank you.

>> Mayor Adler: Thank you. Yes, councilmember tovo?

>> Tovo: --

>> Tovo: I do have a question for Mr. Elliott. I know we've heard from several neighbors, a request that - and I know that you've been working really closely with the -- you and various neighbors have been working closely with the applicant to negotiate some conditions. As I understand, as I'm keeping up with my email -- which is a big "If" at this point, I think I saw there's another restrictive covenant coming forward, potentially with some language about a buffer. As I understand it, the neighbors have requested that there be a buffer of a hundred feet from the western property line of the owner's property for retail sales or disposal or storage of trash or trash receptacles or dumpsters. Are you involved -- I know we've got someone else on the call who's also been involved in the negotiations, but I wanted to ask

[3:22:33 PM]

you, Mr. Elliott, if that's been finalized and resolved or if that's still a pending issue.

>> I would defer to the neighbor representative, Jamie Moore, who is set to speak there.

[Indiscernible] Restrictive covenant.

>> Tovo: Okay. Thank you so very much.

>> Okay. Thank you.

>> Mayor Adler: Okay. Next speaker is Jamie Moore. Is Jamie Moore here?

>> Hello? I had to unmute. I forgot to unmute.

>> Mayor Adler: That's okay. You have three minutes.

>> Hi. My name is Jamie Moore and I live at 7709 delwau lane. I'm trying to pull up my comments right now. I feel a little bit hairied speaking with you right now because we're still in the midst of some last-minute negotiations. I signed an rc yesterday and before that, a hundred percent of

[3:23:34 PM]

the residents of this neighborhood were in opposition to this zoning change, but I signed the rc yesterday. And after that, I was contacted by the applicant because I still wanted to pursue the possibility of getting that hundred-foot buffer on their eastern -- the eastern side of their property. And also, I wanted to make sure that the rc was not contingent on the rv park because the wording of it was that it was contingent on the rv park. I'm now a little worried that the wording is tinting on delwau LLC submitting the application, but I did just sign that restrictive covenant. We feel a rural residential location should come with stronger protections for the existing residents and ideally we'd prefer a true

100-foot buffer. I came to the compromising conditions that we just talked about. There were -- we didn't talk

[3:24:36 PM]

about, but they will not put bathrooms or dumpsters or retail activity in that hundred-foot buffer. And then I also want to say that the applicant agreed to additional restricted uses, and those are -- councilmember harper-madison will mention today, those are hotel/motel, outdoor entertainment, restaurant general, indoor sports and wreck and theater. I appreciate the many councilmembers and their staff that have taken the time to talk with and support me. And lastly, I want to express my deepest gratitude for your work to keep austinites safe. I'm an essential health care worker and almost daily face exposure to covid-19, so sincerely, thank you for your efforts, especially in the face of state and federal push-back. Thank you for that.

>> Mayor Adler: Thank you. Colleagues, those are all the speakers we have, with the zoning case. We also have --

[3:25:37 PM]

>> Tovo: Mayor? I don't mean to interrupt you, I just don't want to lose our last speaker. I have to clarify her comments, so if she would just stay on the line.

>> Okay. I'm here.

>> Mayor Adler: Go ahead and do that.

>> Tovo: Sure. Again, sorry for interrupting. I'm sorry, now I am -- I continue to have the same question. I guess where -- where does it stand with regard to the restrictive covenant?

>> I just -- yeah, the new restrictive covenant that I signed -- I'm speaking with you because I've been dealing with this in realtime, right now. So, I just signed the restrictive covenant and personal agreement that took out the conditionality, it was conditional only on this being an rv park and market.

[3:26:37 PM]

And they agreed to take that out in exchange for a ten-year sunset clause. And they would understand agree to a two 100-foot buffer but did put in there they would not put trash, trash receptacles, bathroom, in that hundred-foot zone. This is all contingent on the site plan being approved and the certificate of occupancy.

>> Tovo: Okay. So the language about the 100-foot buffer is not endorsed in the covenant, or it is?

>> It is. Yes, it is. Yes. The way it was written before -- no, I know you haven't read it so let me be clear. The way it was written before just said that they wouldn't put retail sales there. I asked them to put bathroom -- not put bathrooms or trash there.

[3:27:39 PM]

And then I realized what we are really looking for was a true buffer, which they -- which we compromised, I suppose, on not putting dumpsters or bathrooms or retail activity there.

>> Tovo: But that is not -- thank you for that clarification. I appreciate that. But that is not currently in the conditional overlay. That is only -- that exists only in the restrictive covenant. I guess I should ask staff that.

>> Yeah, that exists only in the restrictive covenant. Now, I don't know -- I don't know if something can be in both places, a restrictive covenant and a conditional overlay, but of course with this zoning change from sf-2 to cs-mu, as a neighborhood where, you know, that property could change hands, it would be lovely to know that we would never have anything within a hundred feet, but I don't think that's an option.

>> Tovo: And so -- yeah, and I

[3:28:42 PM]

would -- certainly some of the conditions, I think, could be in a conditional overlay. What I think -- but you're restrictive covenant runs with the land, not with this particular applicant. Is that correct? Or was it tied to this particular applicant --

>> No -- yes, the way I understand it, that is one of the benefits of a restrictive covenant, is that it does run with the land, with the deed. It's filed along with the deed, I believe.

>> Tovo: Yeah. But I'm assuming it could be altered in terms of the language, but it's your understanding that it runs with -- that the way you've got the restrictive covenant phrased, it will run with whoever owns the property, if they pursue this kind of use of it.

>> Yes.

[3:29:44 PM]

>> Tovo: Okay. Let's see.



>> Harper-madison: If I may, real quick, as Ms. Moore said -- which by the way, really appreciate your advocacy for the neighborhood. It's been a process and I really appreciate having had the opportunity to work with you. But, councilmember Tovo, it's my understanding that is not allowed in the conditional overlay. I'd really like to maybe table some of these questions and let staff answer them.

>> Tovo: Yeah. No, I think that's appropriate to ask our staff. I was really asking -- I really wanted to understand -- since we haven't seen the restrictive covenant, at least the most recent one, at least our office hasn't, I wanted to understand what her understanding is of the language in the rc in terms of the level of protection, does she believe that it runs with the property, not the property -- not this current owner, with regard to who they've crafted the deal with. Okay. Well, thank you very much, Ms. Moore, and I appreciate and I'm sure my colleagues do too,

[3:30:52 PM]

all of your service to our community.

>> Thank you.

>> Mayor Adler: Those are all speakers on zoning, other than applicants which will come back when we actually hear those. We have one more speaker signed up who wishes to speak on the ahfc item, which is item number 48. So I'm going to enable that speaker to be called at this point. So I am going to recess the city council meeting here at 3:31.

***[See separate transcript for Austin Housing Finance Corporation meeting]***

I'm going to reconvene the Austin city council meeting here at 3:42, it's still May 21st, 2020, we're still meeting remotely. I think we have called all the speakers. We have a couple items that we can go -- let staff leave, that are discussion items, I think. With respect to items 46 and 47, those are non-consent condemnation items. Is there a motion that the city council authorizes the use of

[indiscernible] Property set forth and described in the agenda and resolution for the current meeting, for public uses described therein? I need a motion. Councilmember Casar makes the motion, seconded by councilmember Alter. Any discussion? Those in favor, please raise your hand. Those opposed. Looks to be unanimous for passage of items 46 and also 47. I think we can also deal with item number 49, which is a public

[3:44:02 PM]

hearing. No one signed up to speak on it, it has not been called, we're going to postpone this item to July 30th. Any objection to postponing this item to July 30th? Hearing none, that item is postponed. And then if we go down to item number 97, came from the judicial committee about not renewing a contract, does that require an affirmative motion to not renew?

>> Casar: Yes, mayor, I move to pass that item.

>> Mayor Adler: Okay. It's been moved. Is there a second to that? Please call out if your hand's raised.

>> Harper-madison: My hand was raised. Harper-madison here.

>> Mayor Adler: Okay. Councilmember harper-madison seconds. Any discussion? On the committee, do you want to describe what this is, councilmember Casar? Just real briefly.

>> Casar: I think I saw councilmember harper-madison --

>> Mayor Adler: You want to explain this real basically?

[3:45:02 PM]

>> Casar: Are you saying -- I might have been looking -- yeah -- no? I can explain it as well, if you want --

>> Is councilmember Flannigan on the line? Usually it comes from committee, the chair would, unless he's deferring one of us.

>> Harper-madison: My hand wasn't raised, by the way.

>> Mayor Adler: Okay. Good. Is councilmember Flannigan on?

>> Flannigan: Yeah, I'm here.

>> Mayor Adler: Do you want to speak to this real fast?

>> Flannigan: Yeah. So this has been an ongoing conversation at the judicial committee. Councilmember Casar, I would love for you to go into further detail on this item as vice chair, but we had a long conversation with advocates and the court and ultimately decided as a committee to recommend denial of this service in renewing this contract. Councilmember Casar, you've got some more information on it.

>> Mayor Adler: I think that that covered the need to do it unless you want to speak to it.

[3:46:02 PM]

When it comes to a committee, we can't pass it without debate, it looks like we acted in the committee. Let's take a vote. Those in favor of this item --

>> Garza: Wait, I'm sorry, I wanted to briefly speakers I was just allowing the process to work.

>> Mayor Adler: Councilmember kitchen has also raised her hand. Mayor pro tem Garza, then councilmember kitchen.

>> Garza: I just wanted -- I'm one of the judicial committee and this is just one thing that our committee has been doing to reduce barriers and, you know, reform systems that we've seen time and time again. We are sometimes -- so many policies and rules are put up that actually make it harder for people trying to get out of the criminal justice system, trying to get back to normal lives, and there's been decades of policies that make it harder for people.

[3:47:04 PM]

And so thank you, councilmember Casar, for bringing this forward. We had a good discussion at the committee. It's one more important step, not only the work the judicial committee has been doing, but the work the council has been doing, including our work to decriminalize homelessness so we can work that population to get back on their feet.

>> Mayor Adler: Councilmember kitchen?

>> Kitchen: Actually, I was just voting for it. Thank you for bringing it and I'm looking forward to voting for it.

>> Mayor Adler: All right. Those in favor of this item, number 97, please raise your hand. Those opposed? Passes unanimously. While we have you here, can you take us through the consent zoning so we can let those people go as well?

>> Sure, mayor. Jerry rusthoven, item 54 will be a discussion case. Item 55, case npa 201900.031, staff is requesting a postponement of this item to June 11.

[3:48:07 PM]

56, npa 2000 -- staff is requesting a postponement of this item to June 11th agenda. Item 57, case c14 20170010. Staff is requesting a postponement of this item also to June 11th. Item 58, case npa-2017-0021.01, request by the applicant to June 11. Item 59, case c14-2019-0 -- the applicant is requesting postponement of this item to June 11. 60, npa-2019-00 -- indefinite postponement by the applicant. C14-2019-00110, this is also an indefinite postponement request by the applicant. Item number 62 is case c14-2019-00129, this is a postponement request by staff to June 4th. Item 63 is case c14-2019-0107-point sh. This is a postponement request by

[3:49:07 PM]

the staff till July 30th. Item 54, case c14-2019-0165, I can offer this case for consent approval on first reading only. Item 65, case npa 20190016.01, this is a postponement request by the staff to June 11th. Item 66, case c14-2019-0098, related case, postponement by staff to June 11. Item 67 and 68 are discussion. We had speakers speak about them earlier. 69, c14-2020-0019, a case I can offer for consent approval on all three readings. Item 70 is c14-2020-0036. Staff is requesting postponement of this item to your June 4th agenda. Item 71 is case c14-2020-00007, staff is requesting to postpone this item to the June 11th agenda.

[3:50:07 PM]

Item 72 and 73 will be a very brief staff presentation, I would recommend that we also take those up with the public hearing for the [indiscernible], which is item 50, so we'll go ahead and pull 72 and 73, consider them with item 50 all at the same time. And item 74 is case c14-2019-0137, I think we should go ahead and pull that so we can answer the questions about the conditional overlay.

>> Mayor Adler: Okay. So the agenda for zoning are items 54 through 74. Items that have been pulled are 54, 67, 68, and 74. Is that correct?

>> Yes. 72, 73, 74 at the end.

>> Mayor Adler: 72, 73, and 74. All right. So the pulled items are 54, 67, 68, 72, 73, and also 74.

[3:51:10 PM]

Okay. Is there a motion to approve the consent agenda?

>> I'm sorry, mayor, item 72 and 73 need to wait until item 50 has been considered.

>> Mayor Adler: Right. We've pulled those.

>> I'm sorry, I missed that.

>> Mayor Adler: Okay. 54, 67, 68, 72, 73, and 74. A motion to approve the consent agenda on non-pulled items? I can't see anybody on the agenda. If someone would call out, that would be great.

>> Pool: I'll do it. Thanks.

>> Mayor Adler: Mayor pro tem makes the motion, councilmember pool seconds the motion. Those in favor? Any discussion on the consent agenda? Those in favor, please raise your hand? Those opposed? I'm seeing unanimous approval on the consent agenda. All right, colleagues. Those are the only items that we'll come back after executive session to annual. That will be 50, 54, 67, 68, 72, 73, and 74, and at this time then

[3:52:13 PM]

we would go -- yes?

>> Mayor, we still have to go -- I didn't know if we were going to go to the rest of the consent items that are --

>> Mayor Adler: We're going to go to executive session.

>> Okay. We still have 38 --

>> Mayor Adler: Right. The pulled items on the original consent agenda.

>> Alter: Okay. Item 38 would be really quick if we want to do that, but we can wait.

>> Mayor Adler: Let's go to executive session, then we'll come back out. And in that regard, in executive session, 52 -- we're going to go into executive session to consider item number 53, November 2020 location pursuant to 551.071 of the government code, to discuss legal matters. We're also going to go and

[3:53:13 PM]

discuss item number 98, which is the brack track, 551.072, government code in real estate matters. Without objection, the city council meeting will now move into executive session. Colleagues, I'll see you in the other meeting.

[Executive session]

[3:55:11 PM]

...

[5:56:33 PM]

...

[6:57:09 PM]

[Music].

[7:04:18 PM]

>>

>> Mayor Adler: Can you all hear me? It's 7:04 and we have a quorum present continuing the city council meeting here at 7:20, a continuation of our virtual remote meeting. I'm going to start with item 67-68 because I think the applicant has now requested postponement to June 11th. And we'll work with the consent items and the three zoning items, taking 50, 72, 73 together and then 54, the the zen garden. 67 and 68, is Jerry with us?

>> Yes, mayor, I'm here. We have a Steve Adler a postponement request from

[7:05:19 PM]

the applicant, the pecan springs cases. The requested postponement date is June 11th. Discriminatory anybody want to make a motion --

>> Mayor Adler: Does anybody want to make a motion that this be postponed? Councilmember harper-madison makes the motion. Is there a second? Councilmember Ellis seconds that. Any discussion? Yes, councilmember harper-madison.

>> Harper-madison: As soon as I opened my mouth I realized I did it again. I want to thank everyone who came and spoke on this case today. It seems there needs to be more discussion with the neighborhood and the applicant before this proceeds so I'm glad this motion passed for us to postpone it to June 11th. I think it's the appropriate course of action.

>> Mayor Adler: Okay. We're missing at this point

[7:06:20 PM]

I think Kathie and Alison and Jimmy. Okay. Thank you, Alison. I see it now.

>> Flannigan: I'm here.

>> Mayor Adler: There you are.

>> Alter: Mayor, if you go to the top right of your screen you can push on the little button -- if you hover over that you can change what the screen looks like if you're interested.

>> Mayor Adler: Everybody is moving around for me. All right. So I guess we have everybody here but Kathie. And now I'm going to hear Kathie say she's here too, I'm sure. All right, let's take a vote. It's been moved and seconded to postpone this item to June 11th. Those in favor please raise your hand? Those opposed? It's all in favor, Kathie off the dais. That gets us then to item number 38. Councilmember Casar this was pulled I think by councilmember alter.

[7:07:20 PM]

>> Casar: I'll move it.

>> Mayor Adler: All right. Councilmember Casar makes a motion. Is there a second to the motion? Councilmember harper-madison seconds this. Any discussion on this item? Councilmember kitchen?

>> I'll let councilmember alter go first because I think she pulled it.

>> Mayor Adler: Do you want to go first, Alison?

>> Alter: Thank you. Thank you, councilmember Casar for bringing this forward and for your co-sponsor. I think it's a really important element of our strategy for keeping people healthy and safe in our community as we move forward. I appreciate you accepting as friendly my amendment to add and help ensure that workplaces have the technical assistance and resources to adapt the workforce for covid-19

[7:08:21 PM]

safety guidelines. I also appreciate the addition on page nine where you call for the city manager to engage community task force meetings. And I apologize earlier, we probably could have passed it earlier, but I didn't have a chance too R. To read it earlier. I did want to ask if you could elaborate a little bit about what you have in mind? I think that wording could be interpreted in a lot of different ways and we've learned from many members of the community that they are willing to step up and help us to address some of the particular ways impacting some of the populations in our community using their leadership and their cultural knowledge. So could you just speak a little bit to to how that wording is anticipated to address that opportunity to take advantage of their additional help?

>> Casar: Yes, thank you, councilmember. There's been a lot of work done by this dais and by members of the city staff to

[7:09:22 PM]

already engage lots of people. I know there's a council cabinet that is specifically connecting community members and doing outreach. And that work is all really important. I think that a lot of us have been

thinking about how to get even more folks involved because we hear more and more people saying I want to help. And as these disparities get more significant, I think bringing in and having public meetings where more folks can come together and the staff can present what we're doing, where the gaps might be, where we need people's help I think would be really important. And I think having some of that task force be a focus on the Latino community makes sense, but I think this is open also for there to be space to talk about issues affecting our folks and affecting our seniors and we have a lot of leadership in each of those areas. But I do -- of course, you're going to hear testimony about the fact that over 60% of our hospitalizations the last two times the data has come out impacted Latinos, so I would suspect that would be a major topic and a major

[7:10:25 PM]

area to be calling community members in for. So I wrote the language this way so that the manager could execute it quickly and that we wouldn't have to go through, you know, weeks of waiting for council appointees and things like that. And I think it's written down so this would be open to the public. So that we can get a wide swath of people to participate. Manager, I don't know if you or director -- or

[indiscernible] Wants to elaborate on sort of how you see doing this in a way -- I've heard also that staff is thinking about not just punting this to quality of life commissions, but also leveraging those quality of life commissions to bring in lots more folks and also step in and help. So I don't know, manager, if you or Ms. Muskin want to add anything.

>> Thank you. That is helpful. I know that staff since this was posted have been thinking about how to best implement that and we do have director muskin in who

[7:11:27 PM]

staffs our covid task force for community engagement on the line to provide some content. Director muskin? You may have to unmute.

>> Mayor Adler: Is she with us?

>> Who is the name of the person who needs to be unmuted again?

>> It's Farrah muskaden.

>> I know she was trying to get on the line. We've had a lot of -- can you hear me, I assume?

>> Mayor Adler: Yes.

[7:12:28 PM]



>> We've had a lot of conversations with the cabinets and it has grown to almost 20 members as that has moved forward. And doing that I think they've done some really terrific work to move some of that really focus and target our communities, particularly our communities of color, but they have also been thinking about how to move forward in different directions and deepen that. There was some conversation earlier in the week to really think about how to move some of that work together. Thinking about the collaboration with the community organization, and the partners, they really have been focused on working with and getting a bilingual mailer out and it's intended to be sent to households in the eastern crescent with an annual salary of 45,000. It's supposed to reach over

[7:13:28 PM]

40,000 households, so they've been really targeted in their approach. But they also recognize that there are concerns and brought forward by our Latino hispanic community and looking really forward to learning more about the specific needs of that community. But we've also heard of other communities as well. And so what we really wanted to do was shift a little bit and think about how do we leverage our our quality of life commissions as well and start to have a series of really community task force meetings open to the public. And really specific about topics of interest to get feedback. So we have talked to some of our other cabinet members and particularly like to focus just on either housing initiatives or rent assistance and have others focused on what are the business and economic needs

[7:14:29 PM]

of folks. What are the health concerns that people have. So we will be working with the quality of life commissions and setting forth a series of meetings to [indiscernible].

[Background audio running].

>> Casar: I think that's echo.

>> Somebody has the atx on in the background because that's on a delay from our meeting.

>> I was saying that I believe director muskaden is on now and if she either wants to correct anything horrible I've said or add

[7:15:30 PM]

anything, she may pop in. Farrah, are you on?

>> Can you hear me?

>> Yes.

>> Hello, everyone. Mayor and city council, city manager cronk. I apologize, I was having some technical difficulties but I'm happy to be here to talk about the work that we've done on the cabinet and answer any questions that you may have. Maria, I think gave a really good overview of what we've been doing on the cabinet in collaboration with the mayor's office, councilmember pool's office and also councilmember harper-madison. We've been working with our community partners and that's been really helpful to get the word out particularly with whatever the message of the week has been. This week we've been primarily focused on resources to construction workers. We're also working on the mailer that we sent out that is going out that should be in the mailboxes this weekend. It includes a lot of

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information about various resources, the rise fund, rental assistance, testing, most importantly testing. That can easily reach 40,000 homes by this weekend. And so we're also working in collaboration with the social service branch because they also have a subcommittee of priority populations and so we've kind of merged our groups to work more collaboratively together and also to avoid kind of duplication of work. But I do think that this is an opportunity, particularly from what we've heard from community and the feedback to expand our efforts and engage more community leaders. And I think that that's why it was a great idea to engage and work with the commission. So we'll be developing a plan to work more directly with our quality of life commissions, which I'm pretty sure they're open to. And want to engage the community more so in a direct way. And so I think that we --

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you know, we'll absolutely make this work, but we are very passionate about this work because obviously the need is in community and we see the disproportionate impact in communities of color. And so 24 working really hard to make it happen in the best way that we can. But obviously the more help that we have from community partners I think the better it will be to get into those that need it the most.

>> Alter: Mayor, if I could just add my comment. So thank you for the clarification, Mr. Casar, Maria and Farrah. I appreciate that. I think it was important for us to have a little bit more discussion about how we were taking the next steps and I think that was a welcome addition to the resolution to help us provide some closure from the conversation on Tuesday about next steps and how we were going to take further

[7:18:32 PM]

steps to communicate and address the needs in the community. But thank you.

>> Mayor Adler: Councilmember kitchen.

>> Kitchen: Thank you. I just have two quick things. I would echo what folks have said about the task force concept. I would ask one thing with regard to that. Once you get that going, I'd like you to let us know how that's working. And I would like to say that to my mind -- [unmuted background conversation]. That councilmember Casar has included, that this is open to the public, and I would want to be careful that we're not just -- I mean, the quality of life commissions are absolutely essential to be part of this, but we've had a number of community organizations that are not on the quality of life commissions that have offered to be very proactive and to participate in this kind of

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conversation. So I'm just wanting to make sure that whatever mechanism is set up, it includes those organizations and it is done in a very specific focused, targeted way so that we can get the participation and the feedback of the community to move the ball on the numbers. I mean, we all know, we've had plenty of conversation about the disproportionate impact on parts of our community. And that's what we want to change. And so I'm hoping that what we stand up is a focused effort to do that. And then the last thing I would say is just, councilmember Casar, I appreciate the aspects, various aspects of this resolution and I would just ask that as the city manager is working on this that we particularly work with the

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community organizations and about -- and with employers in thinking about ways that they can notify workers if one of the co-workers -- if one of their co-workers test positive. And there may be ways that that can be done that provides some documentation to the worker that they can use to help them with accessing unemployment or other rights that they may have. So I'll just say to the city manager, that's contemplated in the broad language and the suggestions that councilmember Casar has included. And I just want to point R. Point that out and suggest that we be sure and address that. And I'm also asking our community partners to help us with that.

>> Mayor Adler: Councilmember

[7:21:38 PM]

harper-madison? You're muted. Now you should be -- try it now. Councilmember harper-madison my apologies. I was wishing there was a way for me to see the queue. I thought there were several hands raised before me. I want to say what my colleagues have already said and thank you to councilmember Casar for his leadership here. I'm super happy to support. It's so important. I just wanted to -- I felt like we had to recognize that these are long time issues coming to roost. And we won't fix them overnight, but this is an important step. I'm going to -- I wanted to add that I appreciate that a part of this is making certain that we're accountable at every level and acknowledging that this isn't a matter of more robust outreach efforts. So thank you again for including us.

>> Mayor Adler: Councilmember Renteria.

>> Renteria: Thank you,

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mayor. You know, we definitely have a very serious problem. I just walked down the street to look at the construction site at lunchtime, and all the workers down there were just sitting there with no masks, sitting next to each other. I think what we really need to do is start hammering down on the project managers. You know, this is a -- one of the development, Rebekah baines Johnson, that is our money that we are invested into these affordable housing. And I just feel really disappointed that we -- we got workers out there that are still sitting, eating together without any protection on. And I hope when this group and the manager really start hammering down, especially contractors that we're

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providing for in our housing bond money and really tell them hey, this is a really serious problem because all the construction workers there on that site are people of color. And I'm seeing this. You know, we also have very serious problems here in east Austin. We have a campsite in front of my -- the [indiscernible] That is clustered in. There must be somewhere like 40 people, young people that are not wearing any kind of protection at all. And tents are right next to each other. When our workers from the resource recovery goes in there and cleans up, I'm just -- most of those workers are minorities, people of color, and lucky for them that they have sick leave and insurance, but we need to really start getting serious about this that

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we're going to be looking at preventing the spread, especially in east Austin. My people are afraid to walk by them. I saw those workers down there sitting there eating on the sidewalk underneath the shade there of the tree, and hi to turn around because I wasn't going to walk by them. So these are the kind of problems that we're experiencing over here. And I really need some help and support on making sure that we are taking care of these problems. I call and call and we aren't getting the response, at least at the library, I know they are homeless, but where are we allowing them to be that close together campsite by campsite. I wouldn't allow anybody in my family or that I knew, friends to go down there at all, you know? So I really hope that we

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take this serious and really start hammering down on people that are violating these rules.

>> Mayor Adler: Councilmember Casar?

>> Casar: Thank you to everybody. I think it was good that we got some time to talk about this. I appreciate what director muskaden laid out about the task force work. I think that while there's all of this outreach and resource provision stuff, we need to make sure people are aware of the rules. I think what councilmember Renteria and other folks have mentioned is also important. Like I think what enforcement at workplaces could look like and construction enforcement might be something for them - to look at. What I talked to about making sure that people have the commitment to following the sick leave policies and educating the workers on sick leave, I think that's important for this group to work on. I think something else important to mention before

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we move forward on this is we've talked so much about the Latino community that I think it's important for us to all recognize and elevate that even if it's a smaller total number of people that the disproportionality some weeks in the black community has been just as high. So I think it's important to say in this. And the last thing I wanted to say is one of the things that will potentially save the most lives and be the least controversial have been least talked about as far as the resolution, the core parts of the resolution, are the most impactful parts are going to be about our constituents who are over 65 and who are being called back into work and they don't know what to do. The city being able to navigate the pandemic unemployment system, being able to navigate them to a more telly work job is going to be the more impactful thing. So I just don't want that to be lost. We didn't talk about it as much because it's the most common sense part, but we have to pick taupe work. And the same issue of 60%

[7:27:46 PM]

plus of construction workers declining a covid test. Us being able to actually say we're going to help you get your sick time if you get a positive covid test. Please take this test. Again, those are the least controversial parts of this, but I wanted to make sure we didn't lose them as part of the conversation. So thank you to everyone.

>> Mayor Adler: I should have gone before you went because I didn't realize you were going to close --

>> Casar: You close, mayor. You're the mayor.

>> Mayor Adler: No, no, but I do want to speak to it. So much with this virus has been not only the general population approach, but recognizing that there are some areas as our model has showed us, where we're going to have the real crisis. Nursing home became one of the first and continues to be strong example of that. But in the communities of color in our city for lots of reasons, that's becoming now the real focal point as evidenced by the numbers as

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they have moved through time. It's not just that the commitment community had numbers that were high. They're still the most disproportionately represented in deaths in this process. But the numbers in the hispanic community are the really large numbers and the ones that are the most difficult for us to get into under control as evidenced by the number of clusters we see and the numbers that look like it's going to be kind of the recurrent challenge. So I really appreciate what you're doing. Sparked by what we saw at the construction sites and we only got 40% of the workers to test, there's a reason why the other 60% are not. And I think your resolution, the bulk of your resolution goes to that and we need to figure out how to crack that nut. And I think the additions and I appreciate those with respect to the task force and bringing in the larger community conversation to make sure that what we're

[7:29:47 PM]

doing is taking advantage of the expertise and the insight and the cultural connections and the networking and the sensitivities that exist in our community. I like that you have found a way to mainstream it into our system most quickly because we are in a -- it's like putting out fires right now and we need the immediate action and the immediate attention because this is -- it's a crisis and it's happening quickly and it's happening in realtime. I appreciate the leadership on this. I appreciate the work that the cabinet is going to be doing in this regard and the members of the council that we've given this responsibility to kind of take the lead in that for the rest of that. Thank you for that. And this work that's coming up as well as the staff that I know for weeks now has been almost single mindedly focused in on the challenge we have and the span of time. So thank you for this work. I'm proud to vote for it.

[7:30:47 PM]

And it is just a start. There's a lot more that has to still happen. With that said, those in favor of item 38, raise your hand? Those opposed? It's unanimous, item number 38 passes.

>> I'm sorry to do this, just for the record it's version 3 that is now in the backup. Thank you.

>> Mayor Adler: That is correct. Okay. That then takes us then to item number 75. I think this was pulled by mayor pro tem. You're muted.

>> Garza: Sorry. I think this is a lengthy discussion that -- are we having the special called session?

>> Mayor Adler: Yes.

[Multiple voices]

>> Mayor Adler: I think the indication I got is it

[7:31:49 PM]

was going to be Thursday afternoon beginning at 1:30.

>> Garza: Okay. I guess I'll just note because I'm assuming speakers will sign up to speak there, but I wanted to say that through no

[indiscernible] Of mine, many of the speakers were speaking about rise today and the need to increase the funding to that. We know there are already organizations that have distributed all that funding and have asked for more. And it's my understanding that most -- Austin public health's idea was to give each organization one -- like a one-time kind of fund kind of thing. So as we move into more discussions on where that funding goes, I think it's important that we increase the amounts. We're seeing historic unemployment rates and heard

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loud and clear about more money needed for rental protections and the like. So I just pulled it because I wasn't 100% from the discussion on Thursday. You know, Tuesday and today we've -- not even the hours that we spent talking about golf courses and open space and all that, which is very important stuff, but we've been talking about that particular golf course for like years now. And I just feel if we dedicated even half of the time we spend talking about those things, I'm proud of the work we've done. I think we've changed a lot of the things that we've focused on, but we need more discussion about helping our vulnerable communities and working families. We can't just look to them to build our economy. And then when things like this happen to -- not to say we have -- we have done a

[7:33:50 PM]

lot. I wish we could get more help from our state and our federal government because a 1,200-dollar check that many families still haven't even received is not doing very much help. So just general thoughts. And I honestly have to look at 75 to see exactly what we're voting on. I don't know if anyone else has any comments.

>> Mayor Adler: Councilmember kitchen.

>> Kitchen: Thank you. I just wanted to make it clear to everyone what the process is. Item 79 is doing nothing other than just appropriating the cares act fund, which is a technical step that the council needs to move forward with. It doesn't allocate the money in any other -- in any way other than we've already done. What's before us and what we'll address in the workshop -- the work session next week, what's before us

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is approval of the big picture spending framework, which our staff laid out for us on Tuesday, which we'll continue to work on and which next Thursday we'll have much more discussion about as the mayor pro tem was highlighting. So I just want the public to understand that we are not -- we're not voting on the spending framework today that. Our expectation is that next Thursday we will dig into the details. I really appreciate how fast staff has been working with us on this, laying out something for us to work from and to continue to have some conversations between now and the work session. So I just wanted to make sure that that was clear for everyone. And I don't know -- I want to say this to the public too, the work session is scheduled for next week. We will -- from my perspective, we need to take some sort of vote on a

[7:35:50 PM]

spending framework, whether that's next week or that waits until June 4th. I don't know. That depends on the will of the group. But I think at some point we need to take a vote that indicates our general level of priorities in terms of the use of those funds.

>> Mayor Adler: That was on my list of things to discuss next week. I think it was Kathie's -- we were all in that meeting. We never had a chance to talk to each other at the last work session. So this is almost a continuation of the work session. It's being set that way so that we actually have a chance to really talk to one another about priorities and the like and we can certainly talk together as a group as to what we want the subsequent action to be. Okay? Yes, Alison.



>> Alter: So it's pitched as a work session so we can

[7:36:51 PM]

talk through issues and then when we vote we'll have more of the public.

>> Mayor Adler: That's correct.

>> Alter: Okay. I wanted to clarify that. So in our [indiscernible] Cabinet, I think that we were talking about this, we had a follow-up discussion based on our conversation on Tuesday and I understand that Ed is going to be following up with adaptations to the framework and the coherence following some of the suggestions that came out of the discussion Tuesday and that we went over again there. One of those is to add a bucket for workforce development and another is to kind of shape it so that it's a little easier to read to figure out in what bucket. And we had talked about some things. So my expectation is that there will be a Lytle different version that will be coming to us next week for us to review.

[7:37:52 PM]

I think that, you know, I feel fortunate that we have \$170 million to assist us through this time and it is my hope that the federal level and the state level will continue to recognize the need and help us help our community through this time. We are the closest to the community and there's a lot that we need to do, but it's -- there's no doubt that more funding would help tremendously for us to address the many needs that we have.

>> Mayor Adler: Okay. Anything else? All right. Councilmember Casar?

>> Casar: Sorry, I just lost something you said near the end of your comments, councilmember alter? Did you say that the staff is bringing us a new version of that spreadsheet?

>> Alter: I don't know how much of it is changing what's in buckets, but we

[7:38:53 PM]

had discussion of like how to reorganize it. And my brain is a little fried so I can't tell you exactly what they were planning [indiscernible] Off the discussion that Mr. Flannigan made and then there were other suggestions that were made during the session and the discussion afterwards. It wasn't so much about how you allocate the money to different things as it was about how to make it helpful for us to work with. When we're having the discussion.

>> Casar: It would just be helpful to know as early on as we could what we're going to exactly be talking about because obviously it's important for each of us to know about it and for folks in the community to have expectations of what we're having. So manager, if there's any reconfiguring of it, the sooner we can get it the better for what is it, a work session next week, but not testimony or votes?

>> Mayor Adler: Yes. Councilmember kitchen.

>> Kitchen: Just to help

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clarify, councilmember Flannigan had suggested some ways to organize that may be more intuitive. So it's more about organizing the presentation, not a change in the dollars in the buckets.

>> Mayor Adler: Okay. All right. Councilmember Flannigan.

>> Flannigan: Just to speak to that, a good example is that there are buckets that I think could be accomplished through rise. There was also a rise bucket. And I think that added a lot of confusion about what was or wasn't going to be increased. So I think there's a way to simplify that where that is not a choice we're forced to make as we approve a framework, but still can make it clear to the public that the things that we accomplished with rise are still buckets that are growing because they're titled rental assistance or food assistance. I think that will make it easier for us to move forward.

>> Mayor Adler: Thank you. Councilmember Casar?

>> Casar: That's helpful, councilmember Flannigan, for me to make really clear what I meant then on Tuesday and

[7:40:54 PM]

I think you had mentioned it, what is labeled what is -- I don't want that to be what gets in the way of us making a decision. For me I think that significant amount of rental assistance is really important. I'm glad to have seen that, there being some kind of more flexible direct cash or direct financial assistance is what I saw missing. More than rise, if that makes sense. When I said there is not very much rise, rise is missing in some ways for me, what is missing is that mix of rental assistance and maybe adding some direct cash assistance as is possible. I think that some of the challenges that we saw also were sort of these first come first served programs, and jammed phone lines. So I am also real interested as we get into this as how do we get help to people and quickly as well without worrying as much about the label of what it's called.

>> Mayor Adler: Okay.

[7:41:55 PM]

We can talk through a lot of these things at the work session. Anyone else want to talk about this? Let's take a vote. Those in favor of item 75 -- someone want to move passage of item 75? We need a motion. Councilmember alter makes the motion. Councilmember Casar seconds. Those in favor of 75 raise your hand? Those opposed? It's unanimous on the dais. 75 passes. That then gets up to item number 95. I would make the motion on item number 95. There's a posting that had some changes that were made to it. I'm going to make one last change to that in that document on page 3 of 6, line 48 it talked about legal documents for the creation and it said of the cultural trust or economic development corporation. It was pointed out that that was not clear. We definitely want the edc to be able to move forward, but the concept of if there

[7:42:56 PM]

was inappropriate to have a cultural trust inside that or alongside that, that would be fine to develop as well. But we definitely want the edc to move forward. So that changed, the creation of the cultural trust or edc, changing it to the creation of the edc, including a cultural trust. Just by which to emphasize that the edc isn't to be slowed down. And with that I would like make that motion. Is there a second to item number 95? Councilmember harper-madison seconds it.

[Background noise]. Councilmember kitchen?

>> Kitchen: I need to understand your amendment better. So can you read it one more time? It's line --

>> Mayor Adler: Line 48 on page three. It's the same -- it's also on line 55. And by the change that I had made before I didn't mean to imply that there shouldn't

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be the immediate work on the edc. And it was pointed out to me that somebody could read that to think we'll work on the cultural trust instead of the edc, that was not the intent. The intent was to make sure that people continue the work that we [indiscernible] The edc. And if it's appropriate to have a cultural trust, either inside that or alongside that, then

[indiscernible].

[Background noise].

>> Kitchen: I'm sorry. Here's my concern is I'd word it a little bit different. I might say and. Because I think the intent -- the cultural trust is another item that has been worked on for quite some time. And

needs to be moved forward. And you know, it may end up being the most appropriate as part of the edc, but could you perhaps say --

>> Mayor Adler: We could say of the edc and any cultural trust?

>> Kitchen: Yeah, that would be fine because the

[7:44:58 PM]

cultural trust, I would not say any. I would say the edc and the cultural trust. Because the cultural trust is something that has been -- that just like the edc is something that we've needed to work on. So --

>> Mayor Adler: I think the intent is I know there was work for a certain cultural trust that I think is really important. I'm just trying to allow for different structures. It may be some things that the edc does that are best done within a trust. So I didn't mean it to be the kind of -- the cultural trust that has the bond funding associated and that kind of stuff. That's a different thing.

>> Kitchen: Yeah. The cultural trust doesn't have the bond funding. That's a separate thing. So it may be okay what you were saying. So you were suggesting for the creation of the edc --

>> Mayor Adler: And any cultural trust.

>> Kitchen: All right. I'm okay with that.

>> Mayor Adler: Keith. Kathie, you okay with that, the edc

[7:45:59 PM]

and any cultural trust?

>> Tovo: Well, here's the issue if we could just back up. The economic development corporation as it was originally conceived in 2014 and then we reaffirmed it and added some additional language around it was always -- part of its core function is to acquire properties, including for cultural venues, including for preservation venues, including affordable housing. So I appreciate the work that are followed to kind of build out the cultural trust, but they are not necessarily going to be different entities. And we've had this conversation a couple of times about whether it would be one entity with a couple of different boards or different economic development corporation because at the end of the day that's just a tool for achieving some of these different functions. So the issue I had raised with the mayor is that the language that was added

[7:47:01 PM]

suggests those are going to be different entities. That there will be a cultural trust and an edc. And again, it was always the way we've talked about the edc and the resolutions and the whole concept of it always included the acquisition of cultural properties. So I think the mayor's language occurs that better for me, -- captures that better for me, that those are not going to be necessarily different entities. I think we're all on board with the general point that we may at the end of the day end up with a couple of different very narrowly focused economic development corporations or another structure, one as a cultural trust, one focusing on affordable housing. Or it may be one that is nimble enough with different boards to do different things like be the edc that was envisioned for south waterfront, being affordable housing acquisition, be a

[7:48:02 PM]

cultural trust entity. Those are some of the things that we asked our consultant who has been doing this work now for a year to kind of sort out and figure out. What I don't want to do is pass anything today that contradicts what we've done in the past. So I'm mostly comfortable, mayor, with your language, if we could just talk about those other instances where it's or and it's not necessarily one or the other.

>> Mayor Adler: I think it is everyone's intent to make sure that we're not deciding structures here or whatever. So it is clear everyone's intent is figure it out and come back to us is what the right structures are in the right alignment. So whatever words we use, I'm fine with saying the creation of the edc including a cultural trust or of edc and/or S, parenthesis, close

[7:49:03 PM]

parenthesis, anything that you say to me, recognizing that in this document staff needs to understand we're not prescribing which structures go where in which way. So Ann, do you --

>> Tovo: Yeah, either of those options works for me. I just too think that what we're really trying to do here again, we've initiated this work, the consultant has been working on it. We just -- really the intent of my putting it in my resolution was just to set some deadlines for bringing that back to council. So it's my hope that most of that work is is done. As I read your amendment, it would be the proposal would come back on June 11th and that's consistent with mine. And then the legal documents we're giving another month and a half for. Is that how those two dates work in yours?

>> Mayor Adler: Since you and I were writing these together and swapping back and forth sections, we knew that the dates would in fact line up because we were doing it that way.

[7:50:05 PM]

But yes, that was the intent of both of our work.

>> Tovo: I just want to make sure I understand the July 27th because that doesn't exist in mine, but it's fine. As I understand it, the initial proposal from the consultant will come to us by the 11th and then we're allowing that extra time under your resolution for the legal -- the legal agreement piece. Okay. Thanks.

>> Mayor Adler: Taking what you and I decided on the June date and then trying to have it come back and actually work. So if it's okay with that understanding that we've talked through it at length, are you okay with saying the creation of the edc and/or cultural trust parenthesis S, close parenthesis?

>> Kitchen: I'm fine, mayor.

>> Mayor Adler: Kathie, you okay with that?

[7:51:06 PM]

>> Tovo: Not to recap, but I preferred the language that you initially started with.

>> Mayor Adler: I'm going to ask Alison to-- you like the --

>> Tovo: I'd like to get this conversation done and that's fine as long as our city manager understands what the intent is. New York City's for example does all the things that I've described. So it's not a variety of entities, it's one. I think that's the better model.

>> Mayor Adler: Manager cronk, do you understand that we're not prescribing structures, layouts, organizations. Please figure out the best way to use the tools?

>> That's my understanding of your direction, yes.

>> Mayor Adler: So without objection it will say the creation of the edc and -- and cultural trust, parenthesis S, close parenthesis. With no objection that change is made there on line 48 and also on line 55, both places. Without objection that's done.

[7:52:07 PM]

Councilmember alter.

>> Alter: So thank you for bringing -- if I may I want to speak to 95 and 96 because I'm trying to understand. First let me say I support the goals of both of these resolutions to aid our creative community and businesses. I do -- would like to ask the co-sponsors to elaborate on the intent of each of the resolutions and the expected outcomes. We never really not to have that conversation in work session and specifically I'd welcome some clarity on how the items relate to each other, how the goals

overlap. And you may have gotten to this to some degree, but I think I'd like a little more clarity of how the cultural trust relates to ongoing economic development corporation works. And I know that

[7:53:07 PM]

councilmember tovo has been pushing this concept for a long time. I was pleased to co-sponsor an earlier version of this. I'm trying to understand how this defers from what we've already instructed. And after I've heard from you, I've got another comment on this and then I wanted to ask staff a question.

>> Mayor Adler: Okay.

>> Alter: I don't know which of the co-sponsors want to answer.

>> Mayor Adler: Kathie, do you want to go first?

>> Tovo: Sure. And that's one reason, mayor, I wanted to clarify, you read it both ways, and, or, and when you called for the objections you said and. And works fine. Or doesn't because it would then be you cultural trust or an edc. So as long as we're -- as long as we landed on and.

>> Mayor Adler: And is what we've landed on.

>> Tovo: We being several different councils have now directed the manager twice to create an economic

[7:54:09 PM]

development corporation and we probably all answer it very briefly. If you have additional questions, I'll answer those next. We have the consultant as I mentioned who has done lots of stakeholder meetings, has a lot of expertise in working in New York City and a lot of other places. I believe we are ready now to get that economic development corporation up and working here in the city of Austin. And as I looked over the brief powerpoint last week that our consultant had made to show how nimble and flexible the edc has been able to be in responding to the pandemic I see -- I see an imperative of getting that work completed. So in the resolution my goes with the red river cultural recommendations, however the economic development corporation could be a strategy that relates to one of the recommendations.

[7:55:12 PM]

So mine and the mayors is consistent with this. It really reiterating this work has been completed, I believe, by the consultant and I would really like us to take the next step. So it's not a necessary direction because we've twice directed the manager to create the economic development corporation.

But I wanted to put some timelines on it because that work, as I said, in my understanding is nearly done or done, and I would like the council to take that action of actually voting to create it. My -- sorry. Why don't I stop there and then I can address some of the other specific things after you, mayor.

>> Mayor Adler: Okay. I think that a lot of us on the council at various points have all been trying to work on many of these issues. We have been working with the red river district and people about some of the things that were going on. Kathie contacted our office

[7:56:12 PM]

and said she had a draft she wanted us to look at, so we kind of threw our lots in together on that. I think generally speaking the way I look at it is a lot of the things that are in 96 relate to more immediate actions in terms of relief. Also recognizing the echo could be a really -- edc could be a really good component in that and leveraging that. 95 is more in making the industry changes, the vertical changes that relates more to the long-term sustainability or viability of the industry. The intersecting point between 95 and 96 are the edc and that being a tool that could be used for both. That's a general statement. I think you could find exceptions in both that relate to that, but generally speaking, that's how I see it. And the [indiscernible] Components of it.

[7:57:14 PM]

>> Tovo: So councilmember alter, just to answer the first part of your question about what the outcomes would be, 96, I would -- there are multiple components. One is to evaluate some of those specific strategies at the red river cultural district that were suggested that would help them perform whatever improvements they might need to on their venues so they can open up safely. And so those range from consideration of fee waivers to consideration of expedition of permits or expediting permits. Some acquisition as we've talked about asking the manager to consider whether it's appropriate within the cares -- within the commercial loans for economic assistance and recovery package of the cares funding. To consider whether it's appropriate to allocate some money within that specifically for music venues, given that they are

[7:58:16 PM]

probably going to be the last to be able to reopen in the full ways that would allow them to be economically viable. And so I think as we look across the community at different businesses, music venues have some specific challenges with reopening. That makes them in many cases ineligible for other sources of funding. And then you know I think the rest of the recommendations we've already talked about I think the rest of the recommendations we've talked about. There's a request to have the



working group consider an additional way that that money might be invested, that's already in the live music fund from the hotel occupancy tax. And then we've talked about the economic development. We have previous resolution that I brought designated the red river cultural district, and it was contemplated at that time that we would support -- in fact, I think the resolution even talks about potential future support for a state designation, but this

[7:59:19 PM]

just clarifies the council's intent by way of this vote today to endorse the state designation as well. So those are the outcomes from 96.

>> Alter: Thank you. I appreciate the clarification because I want to see us move forward on this, but I wanted to make sure we had clarity. We were kind of building on what we'd done, then it sounds like there's some adaptations for the covid period that are within here and some updated deadlines. Let me just make a couple other comments, then I want to ask the staff to speak to something. So then 95 there's a reference to a retail space at the planning and development center. And I just want to -- I don't know that this is with respect to the economic development corporation, but in terms of the access for creative space, there's a lot of space there that

[8:00:19 PM]

could potentially be used for creative things on weekends and in evenings that's not the retail space. I went on a tour of the space. There's a very large room in there where they're going to have zap and hearings and I think it was designed to potentially be used for other things. And the atrium is also potentially an interesting space for some creative performances. So I'm not going to make an amendment, per se, but I just want to flag for staff that there's some other opportunities within that space that we can be thinking of. And then on line 66, it talks about regional partners that we could engage in this exercise and mentioned aid. I wanted to flag that. Huston-tillotson is also a really good potential partner. They have planned but not always the ability to build new spaces

[8:01:20 PM]

and there might be multiple purposes for students during the day and other things at night that could be explored with them, not just for the creative stuff but more generally would be worth exploring. And then on 96, I don't think it fits into the posting language, but I would ask the city manager that if we're looking at how to make outdoor seating easier from a permitting perspective for red river, I think that's something that we should really be looking at throughout the city because I think for some time it's going to be preferable for folks to enjoy outdoor seating at restaurants. And we should see how we can

facilitate that, and if we need to take more parking out to do that, we should. And that may have been in the healthy streets resolution from the other week, I'm not sure. But I think that would be applicable beyond that, but I don't really feel like we need a whole 'nother resolution to kind

[8:02:21 PM]

of push that forward. And then the final thing that I wanted to do was ask staff from economic development if they're here a question. I really just wanted --

>> We're here.

>> Alter: Okay. Thank you for being here so late. I wanted to see if you had any concerns on the proposed timelines for the deliverables or the deliverables in either of these items.

>> Thank you, councilmember alter. As mentioned in our memo on may 14th, we are continuing to work with the Texas facilities commission in terms of partnering and working with us on the creative space bond. We are, again, diligently working on that, and we are not sure that we will be able to make the June 30th deadline as outlined, but feel confident that the date on the memo of August or September is achievable.

[8:03:23 PM]

>> Alter: I'll let the co-sponsors respond to that. I was just trying to get a sense of what our options are here.

>> Mayor Adler: I think -- you know, in talking about the memo that came about that talked about the gsa, I haven't been involved in any conversations on that yet, but my understanding was, is that one of the reasonings that that fund was seen as being implemented that way was because of limitations that would arise from city ownership and the city's ability to do things. I think that the edc concept might provide additional opportunities that might not otherwise exist, so I hope not here at the dais, but my hope is to be able to visit with staff outside of this to see if, by using these other structures, whether there's an increased opportunity for other kinds of ideas to be solicited than would

[8:04:23 PM]

be presently solicited through the gsa proposal. But the earlier deadlines, in order to be able to get those conversations moving forward and discuss them -- and I wanted to get this done early in that process rather than later in that process, since you had indicated that that other process was going to be ending the end of the summer, I wanted to make sure that we had a chance to be able to talk through

that. Certainly, if you can't -- I want to have the conversations now because I think that it's important that this thing move forward just as quickly as it can. Councilmember kitchen?

>> Kitchen: Yes, I appreciate the concern about making the deadline, but the deadline is in here for a specific purpose. And that is because it better reflects the timeline that I have been working with staff on for quite some time. In April, the timeline that was given to my office was to

[8:05:26 PM]

complete by June. So I appreciate the concerns that are being raised, and we can working together as we proceed, but the timeline that is in the memo that you referenced is not soon enough. And you can hear some frustration from me because we're talking about a 2018 bond. It is now 2020. And we've been working on this timeline for quite some time. And I think that the mayor is pointing out perhaps a route that would be helpful to staff to get this done quicker. And so I look forward to working with the mayor and with you, with your office, to do everything possible to meet the timeline that's expressed in this resolution.

>> Thank you, councilmember kitchen and mayor Adler, and I look forward to working with your offices. We definitely understand that this is a critical project and we're going to do our best to move it as fast as possible.

[8:06:27 PM]

But I look forward to working with both offices.

>> Mayor Adler: Councilmember tovo.

>> Tovo: Yeah, if I may, I'd certainly like to be included in that as well as it relates to the economic development corporation. And so we're now conflating multiple things here. The June date is coming back with the economic development

[indiscernible] --

>> Mayor Adler: Somebody needs to turn off their --

>> Tovo: [Indiscernible] Exactly, but I know that, you know, again that work has been now in process for quite a long time, since 2014. So I hope that -- I hope that we can get that proposal back. And if the bond piece -- well, and I would just say I think the bond piece is a different -- is a different related, but hope they can both get back on June 11th,

[8:07:29 PM]

but it to be careful not to conflate the two.

>> Flannigan: I would like to ask what the impact would be, what the cost would be. But if the council is telling the staff to accomplish a hundred things but we're only giving you staff and resources to accomplish ten things, then we need a better answer from staff than just a deadline can't be met. We need to know if we have given you too many things, if we need to set a different set of priorities. There just has to be some type of project management for us coming from staff so we can reliably know what priorities you all are working under, or it'll just kind of be kind of a shiny object situation, which I fear is what often occurs.

>> Thank you for raising that, councilmember. I look forward to talking to you about that at an appropriate time. To the whole body.

>> Mayor Adler: Okay. It's been moved and seconded, 95. Those in favor of 95, please

[8:08:31 PM]

raise your hand. Those opposed? 95 passes. Let's call up 96 -- go back to 94. I'm sorry?

>> Let the record reflect I voted for [indiscernible], my video wasn't on.

>> Mayor Adler: Yes. I have it unanimously.

>> Harper-madison: Thank you.

>> Mayor Adler: I'm going to hit 96, then go back, I think, to 94. Did you have something, mayor pro tem?

>> Garza: I was wondering about 94, but you addressed that we're going back to it.

>> Mayor Adler: My bad. All right. 96 we're on. Councilmember tovo moves 96. Is there a second to 96? I'll second 96. Any discussion on this? Councilmember alter, were you the one that pulled this? Was your question answered before?

>> Alter: Yeah, it was. That's why I was trying to understand.

>> Mayor Adler: That's okay.

>> Alter: Both of them.

>> Mayor Adler: Any discussion before we vote?

[8:09:32 PM]

>> Tovo: Mayor, councilmember Flannigan had proposed an amendment, and I proposed an alternative, and I believe he had said he was comfortable with it. Councilmember Flannigan, did you have -- thanks for the thumbs up. Did you have a suggestion or preferred place that you wanted to insert that?

>> Flannigan: It was just in kind of the chronological sequence of resolutions so towards the bottom of whereases.

>> Tovo: Great. I think I'm going to then suggest that it be after line 44.

>> Mayor Adler: So this would become the second to last whereas clause.

>> Tovo: Correct.

>> Mayor Adler: Okay.

>> Tovo: And then in looking over some of the -- anyway, and then I have one more edit to my own language that I need to make.

>> Mayor Adler: Hang on one second. Any objection to including councilmember tovo's language

[8:10:34 PM]

concerning what was item number 91? Hearing none that whereas clause is added. Councilmember tovo?

>> Tovo: Okay. And then in the clause, in line 34, in the area that begins line 34, I kind of -- my language doesn't make it clear that there were actually two different resolutions. So I would propose the following

change: After the word "Entity" on line 35, I would like to insert the following language: And this resolution envisions an entity. And that's it. Reiterated prior council direction to create an economic development corporation -- sorry -- and, here's the additional language, change entity to corporation and then

add the following language: And this resolution envisions an

[8:11:35 PM]

entity that could manage -- and then pick up the rest of the sentence.

>> Mayor Adler: Okay. Anybody have any objection to that change? Hearing none, that change is added. Councilmember tovo, were you also okay with taking out the word "Existing" on the top of page 405? I think it was line 65?

>> Tovo: I'm fine with it. As I understand, what we're trying -- I think we're all in agreement, maybe, councilmember kitchen, I should let you describe what we're in agreement about, but as I understand that, we are certainly not attempting to preclude any music venues from applying for opportunities that exist, whether those are bond fund programs or any other funding programs, and existing,

[8:12:38 PM]

in or out, makes no difference, so I'm happy to take it out.

>> Mayor Adler: Thank you. Any objection to that? Hearing none, that's made. Any further discussion on this item number 96? Those in favor of 96, please raise your hand. Those opposed? I see it as unanimous on the dais, 96. 96.>> I apologize, mayor, this is Ann, can I just clarify what you just did?

>> Mayor Adler: On line 65, on page 405, other than

[indiscernible] Solicitation process opened [indiscernible] --

>> And on page 3 at line 44, you're going to add in the Flannigan amendment language that's in the backup.

>> Mayor Adler: It was tovo's alternate language. Where can that be found, Kathie?

>> Tovo: I circulated it via the city clerk earlier today.

[8:13:38 PM]

>> It's in backup as well.

>> Mayor Adler: It's in the backup as well. So it's the tovo language that describes what was item number 91.

>> Tovo: And it would be inserted somewhere -- let's see -- around -- right after the whereas that currently ends line 44. So between line 44 and 45.

>> Thank you.

>> Mayor Adler: Whereas clause. Okay?

>> Thank you.

>> Mayor Adler: Thank you. Okay. That's been voted on. Now let's turn to item number 94. Mayor pro tem, do you want to --

>> Garza: This was pulled by councilmember Flannigan. Sorry, there's a loud bird that just landed. I just needed to get some fresh air. And I accept his as friendly. The only reason we couldn't get

[8:14:40 PM]

it on consent was because I think councilmember tovo wanted to look at the amendment. So --

>> Mayor Adler: Okay.

>> Tovo: My apologies. I did that long ago. It's fine with me.

>> Mayor Adler: Okay.

>> Garza: Did you say it was fine, councilmember?

>> Tovo: Yeah, it is.

>> Garza: I move 94.

>> Mayor Adler: Is there a second to item 94? Councilmember harper-madison seconds that. Any second? Those in favor, please raise your hand --

>> Garza: It kills me that I feel like I have to rush these things because we spend so much time on other things, I know other things are important, but I feel bad that I have to rush what I feel is important too. And I just want to do point out, city councilmember Casar and I were able to be on a call -- it was Tuesday or Wednesday, and it was talking to the airport workers, and I mean I'll be -- y'all know I'm the cryer of the

[8:15:41 PM]

group. I'm okay with that. It was hard to listen to their stories about being furloughed, laid off, wanting to go back to work, waiting to get the call to go back to work. Some of them had gotten -- had -- are getting unemployment benefits and they're grateful for that. Another woman talked about how she was able to get unemployment but she was talking about another worker at the airport who has not been able to get unemployment and how she is helping here feed her children and do -- get food on the table for this other employee. And it always -- I always am so amazed by people so affected by this, not asking for help for themselves but, you know, saying my friend needs help. I saw it during the dove springs floods when we went to help people, knocked on their door, and they'd tell us, I'm okay. Could you go help my neighbor? They're? A little bit worse shape than I

[8:16:43 PM]

am. Everybody knows this is going to pass, I just want to make sure, if you have the opportunity to talk to folks who are so affected by this crisis, I encourage you to because it is just so -- it's heart breaking

and admirable that they are getting through this while many of us are in very different positions. So thank you all for your support on this.

>> Mayor Adler: Yes, councilmember Casar.

>> Casar: I want to recognize the mayor pro tem's leadership on this item. It's a really important item and almost because it has the unanimous support, we haven't talked about it this week, but it's just so -- a really smart way to use the authority we have at the city to help folks out, and these workers just want to know that when there's work, that they're going to get a call back and they'll have the opportunity to go back and work. That's so little to ask for. I think that's what you've highlighted, is that folks just deserve the basics, and that's

[8:17:45 PM]

what you've emphasized so much in this time, and I appreciate that. So I want to -- I appreciate you sponsoring this. I appreciate those workers at the airport calling us and working for this and the way that they're working together is really important. So thank you.

>> Mayor Adler: Okay. It's been moved and seconded, item number 94. Those in favor, please raise your hand. Those opposed? That one also is unanimously approved on the data. Okay. I think that takes us then through each of the consent items. That gets us to the zoning cases. I'm going to first call up zoning item 50, 72, and 73. 50 is the public hearing and 72 and 73, that's lantana. Jerry, you want to lay these out for us?

>> Sure, Jerry rusthoven of the, planning and zoning department,

[8:18:45 PM]

I'm willing to handle all three cases together but 50 is an item handled by the development services department, along with the parks department and watershed protection department. Quickly, item 50 is to conduct a public hearing and consider an ordinance approving an project consent agreement waiving or modifying provisions of city code

[indiscernible] Initiative to allow construction of a mixed use residential project located at 7415 southwest parkway in the east oak hill neighborhood planning area. That action concerns land located in the Barton springs zone. The related zoning case, item 72, c14-2019-0003, lantana block P, lot P -- 7415 southwest parkway, change the zoning from grnp to grump, co-np. I would like to add on that, there was a clerical error. There's an additional co that the

[8:19:46 PM]



applicant agreed to, carrying over an existing co from the existing ordinance. The maximum height of the building or structure of the property shall be limited to one story and not more than 28 feet. Finally, the related restricted covenant amendment, c14

[indiscernible] -- At the same address. We have here, council, a project that's already partially developed. Has a commercial retail office, movie theater, and under construction hotel. This is the fifth phase of that development. The applicant has the approval already to construct an office building on the site that we're discussing today, and that that office building would be grandfathered under our restricted covenant tied to the area study. By changing the use, the applicant wishes to change the use to multifamily. That puts that grandfather in question into dispute. In order to settle the dispute, the city and the applicant have come to an agreement on project consent agreement, that's item

[8:20:47 PM]

50. Long and short of that agreement is that in exchange for the applicant donating six acres of parkland adjacent to this property, an additional almost four acres of park across the street, the totally net impervious cover is able to come to 25%, the current code level. As you heard earlier today,

[indiscernible] Spoke and said this is a reasonable compromise. So the staff recommends approval of item 50 and related items 72, the zoning case, and 73, to allow for the construction of a multifamily project in lieu of an office project. With that I'm available for any questions.

>> Mayor Adler: Let's begin, is there a motion to approve items -- these three items and close the public hearing? Councilmember Ellis makes the motion, seconded by councilmember pool. Three items are in front of us. Any discussion?

[8:21:47 PM]

Councilmember Ellis.

>> Ellis: Not so much discussion, but I know this project has taken a lot of coordination and I really appreciate city staff time and community environmental stakeholders and the applicant who worked on this tirelessly for a very long time. I wanted to extend my appreciation to the people involved in this.

>> Thank you.

>> Mayor Adler: Okay. Those in favor --

>> [Indiscernible] I'm sorry, mayor, I just wanted to point out Michael Whelan is on the line if you have questions, but he does not wish to speak if there are no questions.

>> Mayor Adler: Those in favor of 50, 72, 73, please raise your hand. Those opposed? It's unanimous on the dais. Those three pass. That then gets us to the next item.

>> The next crumb is 54, c14

[8:22:50 PM]

201-70-1458, known as zen garden. Change from linp to lipdanp. It's approximately 110 acres, the site of the old motorola Ed Bluestein chip fabrication faculty. The site is almost but not totally unoccupied right now. The applicant made a request which I can break into two simple pieces. One is to use the pda tool to alter the parking requirement to be 50% of the standard code, and then secondly, to cut the property into three different areas of height limitation. One area would have a height limitation of 120 feet, with one building known as building B being allowed to go up to 160. The second area would have a height limitation of 280 feet, and the one area would have a height limitation of 400 feet. The planning commission did recommend approval of this item with the additional condition that the impervious cover be limited to 60%.

[8:23:52 PM]

However, staff was not able to recommend the case. The reason being that the current height limitation on the property is 60 feet, and the staff is okay going to 120 across the entire site. We're also okay with building B going up to 160, but we are concerned about the precedent of the 280 and 400-foot height limitation on Ed Bluestein boulevard. We're concerned about precedent, if that would become expectation along the entirety of Ed Bluestein, the 400 feet, and we're just concerned that, you know, that exceeds the height limitation of even the domain, for instance. So anyway, they're requesting to use the pda. The only disputed point at that point is 280 and 400 feet height.

[Indiscernible] And the applicant are also on the line if you have any questions. I believe they would like to make a presentation.

>> Mayor Adler: Okay.

>> I'm sorry, what was the last thing Mr. Rusthoven said? He believed --

[8:24:52 PM]

>> Mayor Adler: The applicant would like to make a presentation.

>> Got you.

>> Mayor Adler: Which they're entitled to do. Also, we'll go ahead and call the applicant.

>> Mayor, members of council, this is Terry Irion. Do y'all have the powerpoint in front of you?

>> Mayor Adler: Yes.

>> Okay. If you'lling to -- if you'll go to page 1 or slide 1 of the powerpoint, there's a site plan there. The area that Jerry is concerned with, that staff said they can't not support, is buildings 1 through 5 along the frontage of U.S. Highway 183. To give you an idea of the stale of this, lots 1, 2 -- or buildings 1, 2, and 3

[8:25:53 PM]

occupy about a 10-acre site. Buildings 4 and 5 occupy about an 8-acre site, with about four acres of that having been condemned by ctrma for a detention pond to support the new highway. We -- Jerry has been out to the site several times. Heather Chaffin has been out there several times. We've -- we've really appreciated their hard work on this, and they've tried really hard to try and understand this project, but we do think that this site is distinguishable from any of the other sites --

>> Mayor Adler: If you're not speaking, could you mute your computer? Thank you. Go ahead.

>> This site is actually -- where we're asking for the

[8:26:53 PM]

increased height is actually kind of a hole in the doughnut of the 110-acre site. Nxp has got 79 acres on the north side of the property. HP has 39 acres on the southside of the property. To the rear, to the easies the walnut creek bikeway and then beyond that is the walnut creek wastewater treatment plant. The point is, this site is pretty unique. It's -- it's in a 280-acre industrial park. This is the park that has been abandoned for the last decade and a half, and we're trying to do a redevelopment project on it. The area where we're asking for the increased height represents about 15% of the

[8:27:54 PM]

total site. It's kind of a hole in the doughnut. And as John Hager, the chair of the east mlk contact team stated earlier today, you know, they really want a job center. Part of the neighborhood plan goal number 4 was to create high quality job centers along the frontage of Ed Bluestein boulevard. To the extent this is creating a precedent, you know, we think it's time that east Austin got a major job center. And this is the place to do it because it doesn't have any negative impact on any neighborhood. If you'll look at slide 2, it details what the -- the

[8:28:54 PM]

request of this project is. The project has an F.A.R. Of one-to-one with 110 acres. This site is entitled to 4,775,000 square feet of development. We are not asking for any increase in F.A.R. We offered at the planning commission to do a conditional overlay to limit our impervious cover in exchange for height. When the planning commission asked us how much we'd be willing to reduce the impervious cover from the allowed 80% in the suburban watershed, we said at that time we weren't really able to commit because we hadn't

[8:29:54 PM]

completed our site plan impervious cover analysis. They wanted to put a number down. They said 60%, if you're -- when you complete your analysis, if you need more, take it up with the council. We understand. The request here is to 70%. We actually have completed our site plan analysis and can probably get by with 65%. So what we're going to ask for is that the conditional overlay be kept at 65%, which is less hasn't the neighborhood said that they would support if that meant that they got all the amenities that we're showing on the site plan for the -- for the project. If you'll just go briefly -- and I'm going to make this real quick for the rest of this because of the hour,

[8:30:54 PM]

but if you go to slide 3, you'll see that this project, phase I of the project is already started. Building F, H, and J have been -- those were two-story brick buildings. They are in the process of building refurbished as four-story buildings that will be qualifying for lead silver status when completed. They should be finished and online the first quarter of next year. Of the existing buildings which are all labeled with letters in the center of the project, most of them are going to be 60 feet or less. Building D will be an

[8:31:55 PM]

exception to that. That's the building that we've asked for 160-foot height. It has a -- a floor area of -- a first floor area of about 85,000 square feet with a 37-foot ceiling height. We think it'll make an excellent event center with two office towers rising up off of that footprint. In phase II, we will be developing the warehouse property in the back, and then in phase III, which probably will be about two and a half, three years from now, is when we propose building the office towers on the front. I'm going to turn this over to Adam, who is the project

[8:32:56 PM]

manager of the project, and he's going to walk through some of the special features that will be incorporated into the building designs.

>> Good evening, mayor, councilmembers. I would like to bring your attention to slide 13. That is the community center that we've designed that would feature approximately 25,000 square feet for civic uses for east Austin. That is to be completed by phase III. And that will feature a lot of different programs for music and art, which has been the bedrock of east Austin. And this particular building will not be a for-profit

[8:33:57 PM]

center. This will be run by the community and managed by the community. I would like to bring your attention to slide number 14. We received approval from city of Austin northside to a vision and flight path that gave us clearance on that back February 2nd, 2018. Please go to slide 15. Slide 15 is -- it shows the green light waller creek trail access and airport is within 5.5 miles of us. That will give access to airport. It will be a wonderful feature for activating green

[8:34:58 PM]

line. You'll also notice that we are in a particularly unique situation that we actually are within a stone's throw way of the property, and it will connect a lot of the smaller communities and give access to the airport. It also -- this particular location will help really jump-start east Austin and the expo center and other developments that are being considered for development or being planned. Please go to slide number 18. The image on the slide 18 is very much telling. These are several storage units that we used to make

[8:36:02 PM]

[indiscernible] During uptick hours and we will go off the grid at peak time, which is 3:00 to 5:00. Our energy program is unique because at the very beginning, we got involved with Austin energy and we made them part of the design of the program, which includes thermal service and shoulder. When we are fully matured, this will be one of the largest thermal storage in the country, as well as 30% of our energy will be produced by solar. We've taken that energy and distributed it to lower the cost for our

future tenants to make the buildings more affordable and jump start east Austin again. We also have qualified for Pae, property assessed energy, chapter 399 local government code. This will be the largest

[8:37:02 PM]

loan that Pae would be closing in Texas, and this has already been approved and is in the works. Please take -- number 19 again, the top of these roofs are going to be populated by solar panels. And these solar panels that are on top of the buildings will redistribute power to the occupants. The balance of it is going to be distributed to the common areas of the campus. We have also planned on phase I for 25 charging stations for electric cars that are coming. It's very unique, we have been working very closely with speakers as you heard from this afternoon, and we have made them part of our design. They have been for the past three years, we have got them involved, we've taken

[8:38:02 PM]

their comments and concerns into consideration. There will be markets and retail components to these buildings, and by reducing the parking, we will be getting much more green footprint on this site rather than making a concrete jungle. We're asking for 65%. I personally think 70 would be better, but we're asking for 65 because we want to -- if you look at the site plan, which is first page -- let's go to slide number 1. The yellow lines that you observe are all of these trails that connect the entire campus and it connects us to waller creek plaza.

>> Waller creek bikeway.

[8:39:05 PM]

>> Waller creek bikeway. The other unique feature, as was just mentioned, that was taken by pat for ctrma, we have for the past three years negotiated and we finally have come to the conclusion that we will be able to use those four acres to clean the water that will be coming off of the highway. They're allowing us to put, at our own expense, mechanical devices that will treat the water. This is the first time something like this has happened between a private development and a government entity. They are allowing us to maintain and beautify it, and it will not be a cookie cutter detention pond that you typically see along the highway. We have taken a lot of measures to preserve the environment and make this a special center for east

[8:40:06 PM]

Austin. We do need to create employments with high-paying jobs in east Austin. We do need to create transit systems as well as bus systems. Capital metro we'll be in discussions with. As soon as it matures more, they'll be activating bus lines that they used to have when motorola used to be the center of Austin. So all of those components have been put into place. We have even begun to have discussions with Ford motor company to bring in driverless vehicles to get people around the campus.

>> I think that completes our presentation. We'll be happy to answer any questions. While the site plan is still up there, I wanted to point

[8:41:06 PM]

out, you see the blue circle road that circles around the entire 238-acre property. In the back, the yellow trail going from the loop road to the waller creek bikeway is what Adam was referring to. Because of the clay soils there, we can't make that trail out of decomposed granite. It will have to be an all-weather surface. That's one of the reasons we're going to need a little bit extra impervious cover and would ask that the conditional overlay be set at 65%. That completes our presentation.

>> Mayor Adler: Thank you. Council, that gets us to the dais. Does anyone want to make a motion?  
Councilmember

[8:42:08 PM]

harper-madison.

>> Harper-madison: I remembered to unmute this time. So I'd like to make the motion to approve planning commission's recommendation of this item and an impervious cover limit of 65% on first reading only.

>> Mayor Adler: It's been moved, the recommendation changing to 65, impervious cover, first reading. Is there a second to the motion?

>> Mayor, and to close the public hearing.

>> Mayor Adler: And to close the public hearing. Councilmember Renteria seconds the motion. Councilmember harper-madison, you want to go first? Okay.

>> Harper-madison: I almost didn't remember to unmute that time. I have a lot to say about this. I think you guys probably got a pretty clear impression about what the -- what the neighborhood thinks of the project. It's exciting. You know? It's exciting to feel that feeling. I know mayor pro tem probably feels this, and

[8:43:10 PM]

some of the other folks have been on the dais for a little longer. When you finally get something that you think your area needed, it's exciting. It's not every day that you see a landmark project like this that has overwhelming support from the neighborhood residents. Right? This project has a potential to generate jobs, community activity, where we need it the most in our eastern crescent. It also sits along the southern walnut creek trail with the all-weather trail, you know, as opposed to the alternative at which I think a lot of folks in the neighborhood are really excited about. And it can help provide the kind of activity we really need to see to set the green line up for success. I still wish there was a housing component. I'll be honest. But for those of you who aren't that familiar with the project, you know, I understand how the applicants' hands are kind of tied right now. I also remain hopeful that

[8:44:11 PM]

we can cut through those knots eventually and find out a way to make this truly mixed use, truly mixed income community development. And with that, I'll defer to my colleagues. Thank you.

>> Mayor Adler: It's been moved and seconded. Any discussion? Let's take a vote. Those in favor of this item, first reading, close the public hearing, accept the recommendation, change impervious cover to 65%, please raise your hand. Those opposed?

>> Alter: Mayor, I would like to abstain. I have some concerns about the power but I see there's a lot of good in this but at first reading I'll abstain.

>> Mayor Adler: Councilmember R alter abstains. Others voting aye. This passes 10-1. Thank you. Let's go then to the last item on our agenda. Jerry?

>> That is item 74,

[8:45:15 PM]

c14-2019-0137, the delwau campground. This case is ready for third reading. I'll address the two issues raised earlier today, and then if there are questions, I think everyone is familiar with this case at this point. The first question had to do with the conditional overlay and that question was asked whether the restriction that's been put in the restrictive covenants that the neighbors spoke about today, whether that could be conditional overlay. The answer is no, a conditional overlay can establish a setback, just with simply the amount of feet of setback, the more specific condition that there be specific uses not allowed in the setback such as bathrooms, I can't remember what the other thing was, but



[indiscernible] The setback can only be X number of feet, it can't get into X number of feet for one use and X number for another use. But that is in the restricted covenant that the neighbor spoke of earlier that she said she had signed. The last thing is the private uses list that the neighborhood and applicant agreed to.

[8:46:15 PM]

This could be conditional overlay and that is to prohibited outdoor sports and recreation, hotel-motel, outdoor entertainment and theater. Another thing that came up this morning was restaurant in general.

[Indiscernible] Is on the line if you have any questions. They do wish the restaurant to have the ability to sell beer and wine. Therefore, we cannot prohibit a restaurant in general because it is by definition a type of restaurant that is allowed to sell beer and wine, but to restrict the restaurant on this property down to 1500 square feet. We can do that. With that, I'm available for any questions.

>> Mayor Adler: So motion, councilmember harper-madison?

>> Harper-madison: Thank you, mayor Adler. I'd like to make the motion that we approve third reading with the following prohibitive uses added to the conditional overlay. Hotel-motel, outdoor entertainment, indoor sports and wreck, theater, and I would also like to limit the

[8:47:16 PM]

permitted use of restaurant general to 1500 square feet.

>> Mayor Adler: There's the motion. Is there a second to this motion? Councilmember Renteria seconds. Discussion? Councilmember harper-madison, do you want to go first?

>> Harper-madison: Yes, please. Thank you. So this was -- this was a hard one for a lot of us in a lot of ways, but I really did it earlier, but I really would like to reiterate that I applaud the leadership and advocacy for delwau and Mr. Zimmerman's willingness to work with the neighborhood. These conversations aren't easy so I appreciate the effort put forward by all parties. I remain absolutely committed to finding the resources we need to make

[indiscernible] A safer street for all users. We've known for two years now that the bridge over boggy creek is one of the top five in our city requiring major rehabilitation. We can't just sit on our hands and hope it'll fix itself, though. There's also clearly a

[8:48:17 PM]

renewed need for safer bicycling and pedestrian improvements, now that we can expect for people coming from the walnut creek trail or the neighborhood to check out the campground and its offerings. We don't need to urbanize this, but we can and must make investments that protect the people who live, work, and play here. And, again, I remain absolutely committed to making sure that that happens and that this is another project that I'm that especially to keep am I

--keep my eyes on and can't wait to watch it evolve.

>> You're muted. We can't hear you.

>> Mayor Adler: I already gaveled this one through. We're now, discussion on item 74? Any discussion? Yes, councilmember tovo.

[8:49:19 PM]

You're on mute. Councilmember tovo? Did you raise your hand?

>> Tovo: Sorry. Yeah. I did. I couldn't tell if you called on councilmember kitchen or if you had called on me because you cut out there for a minute. I needed to get back to one of the questions, Mr. Rusthoven, that you answered. Oh, I keep looking for you up on the screen. I'm really Lupe tired, I guess. So the question was asked about whether or not the -- whether or not a buffer could be established in a conditional overlay. You answered no. I'm looking at some answers we received for another zoning case, and the answer I thought was yes. I thought you couldn't establish what kinds of -- what the buffer might look like, like whether it's trees or particular kinds of plants, but I thought you could establish a buffer. And so I know that the neighbors and the applicant

[8:50:20 PM]

have negotiated an element in the restrictive covenant that we discussed earlier about not using the property within a hundred feet of the western property line for certain kinds of uses. Mr. Rusthoven, can those be in the coo, or no?

>> Councilmember, this is Jerry rusthoven, planning and zoning. A co can modify average regulation. A setback is a zoning regulation. A co could change a setback to 10 feet to 15 feet to 30 feet to whatever feet. But what a co cannot do is say a hundred-foot setback for bathrooms -- I can't recall, I think there were --

>> Tovo: It was retail, bathrooms -- it could have stopped with just setback, it would be --

>> It would have to be everything. Exactly.

>> Tovo: Maybe the applicant is on the line and could help us understand what's not covered by this. Retail -- the restrictive covenant includes retail activity, a prohibition within that hundred feet

[8:51:21 PM]

from the western property line of retail activity, bathroom facilities, or disposal or storage of trash or trash receptacles or dumpsters. Was there something else contemplated within that hundred feet?

>> No. No, we made --

[indiscernible] With the applicant. We're not suggesting that there be no structures or no development of any kind within the hundred-foot setback, but we wanted to give the neighborhood assurances that those nuisances would be kept within, you know -- prohibited within a hundred foot of the adjacent property line.

>> Tovo: Okay. So there would be -- so under the -- so there are contemplated uses within that hundred feet, just not what I just read aloud.

>> Yes. So there could be structures, there could be utilities or -- we're not -- we're not eliminating all uses for a hundred feet. That's quite a bit of property. But we wanted to set aside

[8:52:22 PM]

those uses for them.

>> Tovo: Thank you for that clarification. I have another question for you, Mr. Coleman. It's my understanding from the neighbors that you all have continued as councilmember harper-madison indicated, you've negotiated very closely at including throughout the day, and that there's an intent to record that restrictive covenant. I understand from one of the neighbors that there's an intent to record that signed agreement and rc with language tomorrow? Is that correct?

>> Yes, councilmember. In the original signed agreement, we had said that we would -- the original agreement was specific to the construction and rv park. And that agreement was signed with the neighbors, but later in the day, at the request of a councilmember, we went into a bonus round of negotiations. The neighbors said, look, we're concerned that, you know, what happens if this developer goes away or goes broke or sells the property? We would like these conditions to apply

[8:53:25 PM]

regardless. We said, you know, we -- you know, no matter what, we'll keep amplified noise prohibition and some other things in the rc together. We want to set it, though, we're not going to do a blanket rc for all time. I don't know, it was after lunch before we made those changes. And with that change, that

would allow us to file the rc after the zoning case is passed and not necessarily wait for a certificate of occupancy or permit specific to the rv.

>> Tovo: So is it your intent, then, to file it -- to file it soon?

>> Yes. Absolutely.

>> Tovo: Do you have a timeline --

>> We can't file it tonight. But as soon as the zoning case is over, we're good to go. To reiterate, once -- the original rc -- go ahead.

[8:54:28 PM]

Yes, councilmember.

>> Tovo: I apologize, Mr. Coleman. You cut out for a bit and then I had to turn my mic off because I had a little bit more noise back here than I thought anybody wanted to hear. I didn't hear your response to the question about when it would be filed. You cut in and out a little bit.

>> We're going to file it tomorrow morning, or the minute we get it back from our attorneys, reflecting language that you just described. So this has unfolded only in the last several hours of the day. So the answer is tomorrow or Monday at the latest.

>> Tovo: I appreciate it. Thanks so much. Sorry again all the interruptions.

>> Mayor Adler: Any further discussion on this item that's been moved and seconded? Take a vote. Those in favor of this item, please raise your hand. Those opposed? Unanimous on the dais. This item passes as well. Councilmember tovo.

>> Tovo: I'm abstaining.

>> Mayor Adler: Councilmembe R tovo abstains. The others voting aye.

[8:55:29 PM]

10-0-1, it passes. With that, colleagues, I think that goes all the things we had on our agenda for tonight.

>> Thank you so much.

>> Yeah.

>> Mayor Adler: 8:55 -- was someone wanting to say something?

>> Renteria: Yes, mayor.

>> Mayor Adler: Councilmembe R Renteria?

>> Renteria: I just wanted to thank councilmember page because my street there on comal, I have a traffic-free street. Thank you.

>> I'm so excited helping streets has launched.

>> Casar: Speeching of social distancing, I feel like Leslie and Pio are sitting too close to each other on that couch. You guys need to make some room next time. Also, I know that Jeanette and folks in the clerk's office had to deal with a lot of speakers and a lot today so I appreciate her and also the city clerk

[8:56:31 PM]

staffer getting us through a long day.

>> Renteria: You know, I would be downstairs in my office, but when I built this Adu, they did not allow me to put an air condition shaft down there, so it gets pretty hot. So that's why I'm up here, upstairs in air conditioning.

>> Mayor?

>> Mayor Adler: After hearing about your Adu every other week, I think we have to set the goal of helping you refurbish that under the new rules. Councilmember tovo, yes.

>> Tovo: I also wanted to just thank our city clerk and our city staff and all the members of the public who stuck with it. It's been an extremely long day and we had a long day on Tuesday as well. I know throughout the day there have been frustrations about the extent to which we could talk about some of the topics, I know on Tuesday we ran out of time to talk about the task force idea that -- proposal that came forward from some of our community advocates, and there have been other times throughout the day that we haven't had an opportunity

[8:57:31 PM]

to really dig into some of the issues that we might have -- might want to have. And so I think we've also suggested some changes for next week about how we handle things, and I would just ask us to all think creatively about other ways in which we can operate within this new environment because ten hours in our homes is a little more challenging than it is at city hall. And I think we, too, can really dig in -- we had a lot of really needy issues this week in executive session and would ask the manager to help us figure out how to balance that. It's just -- it's challenging to maintain that level of intensity for this period of time. So, anyway, thanks, but thanks to all the city staff, again, and to our public for sticking with us.

>> Mayor Adler: All right. Mayor pro tem?

>> Garza: I'm sorry, I just wanted to clarify something I said. It wasn't meant so much as a criticism, I think it's a great thing that we can pass really good policy very

[8:58:32 PM]

quickly without much discussion. But I think what happens sometimes is people don't realize we've done that because we don't talk about it, and it just goes on consent or there's not a lot of discussion, and that's -- I think -- I just wanted to point that out, that, you know, there's -- sometimes we've got to pull it just to talk about it so the public knows that we are, in fact, working on a lot of the very issues that they are -- that sometimes people say we aren't working on, so that's all.

>> Mayor Adler: Anything else, colleagues? At 8:58, the meeting is adjourned. Be safe.