

# City Council Regular Meeting Transcript – 07/29/2020

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[10:01:40 AM]

>> Mayor Adler: It is 10:01. We have a quorum present. Today is Thursday, July 29th, 2020. We have a special called city council meeting. It's my intent is to read the changes and corrections into the record, and then we will start recognizing speakers. We're going to give speakers two minutes to speak. There's a little under 60 that have shown up. Hope is that before lunch, we'll be able to get through speakers, and then we can start doing the pulled items. We have a lunch break from 12:00 until 1:00 and we have some items now that look like there's going to be a request for them to be moved to executive session. So if you have an item like that, you might want to identify it. We'll have those

[10:02:41 AM]

discussions with council during the two hours while we have speakers speaking. Changes and corrections for today, item 42 has been postponed till August 27th, as has 43. 50 is in Williamson county. 60 and 61 are postponed until the 27th of August. 83 has been withdrawn, replaced by 117. 106 has been withdrawn. 108 asks for negotiation and execution, as does 109 and 110, and item 111 also postponed till August 27th, 2020. I'm showing the following items as being pulled. I have 5, being pulled by Flannigan, 18 pulled by council member Casar, 24, pulled by council member

[10:03:45 AM]

kitchen. That is not showing on the changes and correction form. 74 pulled by Casar, 86 pulled by Flannigan, 90 pulled by Flannigan. It looks like there are additional revisions to ordinances, to items on both 89 and 90. Maybe others as well. Any comments or thoughts at this point? Council member Flannigan?

>> Flannigan: Item 5, I'm just wanting to postpone to September 17th, to the council meeting on September 17th. And if no one objects to that, we can leave it on consent as a postponement.

>> Mayor?

>> Mayor Adler: Yes.

>> I'm looking at --

>> Mayor Adler: Hadn't on one second.

[10:04:46 AM]

Item number 5, is staff okay with that being pulled? Is there any counter argument with respect to the postponement?

>> Let me check on that and get back.

>> Mayor Adler: Okay. Why don't you check. Council member pool?

>> Pool: Just to confirm, the reason why there are gaps in the numbers on the consent 1 to 96 and 106 to 117, for example, items between 72 and 109 are not on our sheet nor today's because they will be on our agenda for July 30th. Is that right?

>> Mayor Adler: That's correct. There's also some intervening items I think that are not consent items, so we have some setting of public hearing items, so there are those as well. The consent agenda is items 1 through 96 and items 106 through 117.

>> Pool: There's still that gap between 72 and

[10:05:47 AM]

109. I'm just confronting that those will be what we take up tomorrow. I think those might be the zoning pieces and maybe some stray items that are land but not

[indiscernible]

>> Council member pool, this is Jeanette. The zoning items are on a separate agenda for tomorrow, so we are taking up 72 through 96, and then 106 through 117 today on consent.

>> Pool: I'm sorry, you faded out. 72 through -- or 73 --

>> Mayor Adler: Are on the agenda for today, 72 through 96.

>> Pool: Okay. They're not showing up on this sheet that I printed out, but I'll take that -- it could be that maybe my printer didn't print -- anyway, thank you. Jeanette, would you look at that first page, second column? You see the gap, 72, 109. That's what I'm keying in

[10:06:48 AM]

on. Could you just let me know what's going on there?

>> Mayor Adler: I think that's an issue with respect to -- if that is what that's showing, then that is just that cheat sheet shown by the clerk. The consent agenda today is items 1 through 96, as posted, and items 106 to 117.

>> I'll resend you my list.

>> Pool: I think the numbering is off on this sheet so -- yes, I can see that. It jumps from 36 to 73 on the left column, and there's that 72 to 109 gap on the right column of that same line, so I think -- okay. It's confusing but I think we can work with it. Thanks.

>> Mayor Adler: Okay. Good. Okay? Again, pulled items at this point I'm showing are 5, 18, 24, 74, 86, and 90. Council member Ellis.

[10:07:48 AM]

>> Ellis: Thank you. I wanted to draw the attention of my colleagues to a version 2 of item 90. It incorporates kind of some council member Flannigan on the message board and council member alter so I wanted to give y'all a heads-up that that version 2 is posted if you would like to review it prior to discussion.

>> Mayor Adler: Thank you. And there's also volume 2, version 2 of item number 89. Council member Flannigan?

>> Flannigan: Sorry, I don't know that item 5 needs to be pulled. We can leave it on consent as a postponement. I didn't hear anyone object to that.

>> Mayor Adler: Okay. Is staff okay with that?

>> We'll just note that this is a delayed solicitation of the rfq that was scheduled on August 5th, then the construction contract which is set for September something, and this delay would be contrary to a previous resolution that asked us to expedite the delivery

[10:08:51 AM]

of this --

>> Flannigan: There's not agreement to what you're saying, Spencer, so this doesn't need postponement.

>> Someone can make that decision.

>> Mayor Adler: Okay. Council member article?

>> Alter: I am still figuring out if I need to pull 29. So for now, we can pull 29. And I'm sorry if you could go one more time, I came on late so I didn't get all of the pulled items correctly.

>> Mayor Adler: Okay. We're pulling item number 29?

>> Alter: For now, yeah.

>> Mayor Adler: Okay.

>> Casar: And, mayor, before you read out that list, I don't think I need 18 anymore. I got my question answered.

>> Mayor Adler: 18 has been answered. No longer needs to be pulled. All right. The pulled items at this point are 5, 24, 29, 74,

[10:09:51 AM]

86, and 90. Those are the pulled items.

>> Alter: Okay. And which items are we having executive session on?

>> Mayor Adler: I don't know yet. That's being worked. It looks like it could be -- it looks like it could be 86 and 98. .

>> Alter: Okay. Thank you.

>> Mayor Adler: Council member Flannigan.

>> Flannigan: You said 5 again, mayor, so I just want to be clear if we're pulling it for discussion or if it can remain on consent as a postponement.

>> Mayor Adler: I didn't mean to do that. Without objection, 5 is going to stay on consent agenda, being postponed till September 17th.

[10:10:55 AM]

Okay? And what we're going to do is we're going to go right into then speakers -- yes, counsel -- yes, counsel.

>> Mayor, before you do the consent agenda, we'll need to do 33 just to plug in the settlement number, but perhaps you're going to do that after the speakers.

>> Mayor Adler: I was. Do you have the settlement number for 33?

>> Yes. For 33 the settlement number in the domain lawsuit is \$2.2 million, as we had listed in the settlement memo that went to all of you earlier this week.

>> Mayor Adler: Okay. So number 33 should reflect that at 2.2 million, so --

>> Thank you.

>> Mayor Adler: Thank you. Okay. So, again, we're going to try to do speakers, hopefully then break for lunch at noon. I have to leave at noon. So if we're not done at that point, then, mayor pro tem, if you'll take over at that point past consent. Council member pool?

>> Pool: Then are we going to vote on the

[10:11:56 AM]

consent agenda now or after the speakers?

>> Mayor Adler: After the speakers. Some of them may want to speak to consent items. Okay? All right. Now, clerk --

>> Yeah.

>> Mayor Adler: If you would go ahead and recognize speakers and take us there you the speaker list now, that would be great.

>> Okay. So for all of the speakers in queue, if you haven't already pressed 0, please do so at this time. The first speaker -- the first speaker is Juan Benites.

>> Hello?

>> Yes. Go ahead.

>> Good morning. Good morning, mayor and council. My name is Juan Benites, a commissioner on immigrant affairs to the city of Austin. So I am asking that you support item number 117, the development of the St. John's property. I grew up in the Georgian acres in the St. John's neighborhood. I'm now a district 1

[10:12:57 AM]

resident. But I remember life before and after the city of Austin purchased this property in 2008. So [indiscernible] City perpetrating the neglect of black residents in this neighborhood with inaction, meanwhile black and

[indiscernible] Residents face the effect of rapid gentrification. After also having conversations with my family on what used to be, as we are forced to look at a property in a city that's telling us this does not matter to us, you do not matter to us, and this matter does not matter to us. So this is neglect. And life [indiscernible] Also the city with percentage of decline of black population. You know this. This is not new action. This is what inaction gets us. With your action today, you can right that inaction. I know in recent times you have been tasked with taking a stand of who we are as a city, and your support of the St. John's property is one of those instances, as the city shows our residents, state, nation, and world

[10:13:58 AM]

who Austin is as a city. If you can act in support of agenda item 117, because the other option is making [indiscernible] Known with your inaction of Austin's black and black mixed residents. Thank you.

>> Next speaker is Lisa Heinle.

>> Hi. This is Lisa Heinle. I'm speaking on items 38 and 39, which are to buy a couple properties in Georgian acres, tear down the existing duplexes and make a little park along little walnut creek. I'm asking you to assure that the apartment residents in our neighborhood, which is most of us. Will have reasonable access to this new park, before the purchase, they should have an access plan in place. We're about 80%, almost all of those in apartment complexes along highways, along I-35, along 183.

[10:14:58 AM]

The I-35 apartments have been walled up systematically since they were built in the '80s. The only way those folks can get in or out is onto the access road. The connection points exist into the interior of the neighborhood, the park, the bike lane, the bus route, but they have been [indiscernible] To prevent access. This particular connection has already been identified in the save routes to school report before as a very high cost/benefit. Since right now the city has to run a school bus down the access road to pick those kids up to go less than a half mile to their elementary school. A rough estimate of the cost has been tens of thousands. That's very modest compared to the 600,000 to require the property and whatever the development would cost. Thank you.

>> [Indiscernible]

[10:16:01 AM]

>> I no longer need to speak.

-- The item I was speaking on is postponed.

>> Thank you. Diana Haggerty.

>> Hello. This is Diana. Hi. I'm Diana haggetty, I'm resident of district 5 and have commercial space in district 9. I also represent stronger together, a tx, a new group making working families connect with solutions and child care and health care. I want to thank the district -- pardon me -- the council thus far for being so willing and open to hearing from the community on meaningful solutions, and I want to encourage the conversation around item 89 to include school age children and focus on our most vulnerable communities. There's been a lot of

[10:17:04 AM]

talk around learning pods and alternative care models and we're all just trying to figure out what all of it means as we work together. But I do want to emphasize the importance of prioritizing our vulnerable communities, our black and brown communities, those who already are experiencing gaps in some of these systems that we see are broken. And so I do want to thank you all for the encouragement so far, as we work together, and thank the district for also being willing to come to the table with this. And as we look for meaningful solutions, looking to our businesses and ways that we can leverage business space, helping to offset costs for business owners and ways that we can put some of our most vulnerable kiddos into some creative, innovative spaces, just to make it all work. We're all here working together, we're stronger together, and I thank you so much for bringing this

[10:18:04 AM]

to the table and bringing this to light. Again, 89, let's focus on school age families and our most vulnerable communities. Thank you.

>> Chelsea Crawford.

>> Good morning, council. My name is Chelsea Crawford. I live in Pio Renteria's district off south first. I represent a nonprofit save the food Austin. We're a local nonprofit that rescues wasted food from grocery stores and directly puts it in the hands of food-insecure individuals and families. We are calling for support of item 87 on the agenda. The resolution put forth on 7/17 does an adequate job in reducing the barriers for distributing food to the most needy. I encourage the city manager to pull back on enforcement and ensure that most families can get fed. However to more widely address the issue, our current ordinance says food establishments like

[10:19:05 AM]

grocery stores and restaurants can compost or donate this food. If we prioritize donating food either through policy or other incentives, it can give -- it can give organizations like ours an opportunity to widen the reach of people we're able to provide food for that are experiencing food insecurity. Our team would love to move forward on this conversation within the working group that was discussed in the agenda. Our founder, Allen Schroeder, has been active in the grocery store industry for over 20 years and has been

[indiscernible] Thousands of tons of food. He would be a great asset to the group. We can be reached at save the food Austin at gmail.com. We hope to hear back from the city manager. And thank you.

>> Brett bowman.

>> Hi. My name is Brett bowman. I live in district 7, and I'm a public employee. I want to speak against

[10:20:07 AM]

item 74. I'm not sure if I'm still able to if it's pulled. Well, so, never do I feel as if this transportation right-of-way was constructed by the

[indiscernible] Homeless population in Austin. I don't think the service is actually needed. I don't know who was asking for it, it's some rich person with three properties, has a lot of stuff on their yard, the city does not send contracted people in who are not trained or equipped as social workers to clean it up. Any other situations, this would be a huge violation of rights. Instead, the city relies on contracted workers, there will be a cleanup and if they don't pick up their stuff, they can have it taken from them. When you're unhoused, you don't have a place to store things and you have to protect what little you have. The company you're paying a million dollars to doesn't come the way they said, but everybody upended their life and moved in fear, to be sure it doesn't happen again. Housed citizens don't get to make the demands of the city government. I'm not trying to blame the workers here, but

[10:21:08 AM]

contract would be such sensitive work to a company apparently unequipped to do so is dangerous. Any other city job with this close proximity to sensitive poverty and housing issues would require tremendous oversight and training, putting the workers at risk. Also policing these communities, too, the city is leaving it up to the poor contractors to sort out inevitable arguments that occur, inevitably involving the police, who we all know are guilty of violence and protecting violent people, such as for Garrett foster and Mike Ramos. We have the Republican chair and police union trying to swindle people. City council needs to pay attention to what they authorized and if you're not going to house the unhoused, at least give them trash bins.



>> What is that?

[10:22:08 AM]

>> [Off mic]

>> Mayor Adler: Clerk?

>> We will call him back. Next speaker is megal cantabella.

>> Good morning, mayor Adler and councilmembers. My name is

[indiscernible], and I live in district 6, Jimmy Flannigan's district. I'm here to support the recommendation for the city to purchase the property at 6315 spicewood springs road for the purpose of retaining it in the public domain as part of city park system. I'm a resident of Austin for 24 years, and the beauty of Austin has made me decide to stay. After 24 years, I have witnessed the city go

[indiscernible] The parks and greenbelts the city has are the best features that attract new businesses and people. My primary concern in regards to the development is the

[10:23:08 AM]

sensitive environmental nature of the property, directly above bull creek. The bull creek feeds into entire cities water supply system. Much of the property is in critical quality zone. The bull creek is considered environmentally sensitive area. Water quality of bull creek is compromised sometimes and access to bull creek is periodically limited by the city. Additional development near the creek will worsen the problem. Increased development will also result in increased water volume in bull creek during floods, increased flood frequency, and resulting damage. Also, the city has been interested inquiring this property for many years. Acquisition of this property will allow the city to connect hiking trails from bull creek in a contiguous path. Austin is well none for extensive trail system. Trails are used by all of the citizens of Austin. The parks along bull creek are heavily used by swimmers, picnickers,

[10:24:10 AM]

hikers, from all over the city. Development of the property will limit public access to only a few. I wholeheartedly encourage you to vote to acquire this property and protect the environment along bull creek. Making it a part of city park system, to retain this precious gem of nature for current and future residents of Austin to enjoy.

[Buzzer sounding]

>> Thank you.

>> Gabe Colombo.

>> Yes. Hello. Can you hear me?

>> Yes. Go ahead.

>> Great. Thank you. Good morning. Thank you, mayor Adler and city council for taking our comments today. My name is Gabe Colombo, I'm from district 7 and I'm a local advocate for safe transportation options in public transit. I'm here to encourage you to approve item 90 with amendments regarding funding for active transportation and safe streets on the November ballot. We received a number of supportive comments from every district on our petition regarding this

[10:25:10 AM]

issue, and I'd like to read a selection that I have time for. Aaron, from district 1, says please recognize the importance of walking and biking as low cost options for recreation and transportation, especially as more austinites struggle to pay their bills, investigating in these options makes it more accessible to every one. Crystal from district 2 says riding a bicycle is my only mode of transportation. As a local bartender, it's important for me to have safe, well-lit bikeways from east Austin to the southside. Another, I've personally been hit on my bike, which is my primary mode of transportation. There are a number of roads I void. Please make the investment in our transportation infrastructure a priority. Jared from district 5 says people with disabilities in the Austin community value bicycling and walking as it may be their only means of transportation, provided a safer network of alternative transportation to assure all members of the Austin

[10:26:11 AM]

community feel comfortable navigating their city. Tom from district 6 says with changing times and less competence on fossil fuel transportation, it's time for us to take great care in supporting the welfare of our planet. Austin has always led the way in ecology consciousness and ideas. As a cycling family, we enjoy the safer streets, resulting from lower traffic volumes in the last month. We've even been able to get our 3.5 -- three-and-a-half-year-old out on some of the quieter streets to start learning the rules of the road. We want to ensure that even as traffic volumes rise, we can continue to use the streets quickly.

[Buzzer sounding] These constituents and over 3600 austinites who signed the petition ask you to please approve item 90 today. Thank you.

>> Kendra Derek.

>> Good morning. My name is Kendra Garrett. I want to thank mayor and council for the opportunity to speak on

[10:27:11 AM]

item 117. I'd like first as a member of the Austin justice coalition in

[indiscernible] Communities, we'd like to ask for each of you to join us in supporting the St. John's redevelopment project. This project is an example of the kind of community development we are fighting for, inclusive of various income levels, mixed use of existing residents to enjoy the communities and use of affirmative marketing for housing and hopefully also for hiring, to fulfill the right to stay, right to return policy. This project has stayed true to being community-led and that's where the magic is. My last be

[indiscernible] As a St. John's resident, I've lived in a number of neighborhoods in Austin and St. John's is hands down my favorite. Coming out of school with student loans, I needed to find an affordable place to live. I also discovered history and community.

[Indiscernible] I like to use from the report, those who left from a 63-year-old man said that they didn't want to redo Austin, the city was

[10:28:11 AM]

taking land, jacking up prices, [indiscernible] Residents were sick to their stomach seeing what they see. They could have revitalized. The city owes that to the St. John's community and assuming all things included, [indiscernible] It is one way to revitalize. Thank you very much to Casar and his office for all the work for this project, and we really hope that you support this item 117. Thank you so much for your time.

>> Lynn galbraith.

>> Good morning. This is Lynn galbraith. I'm in district 4 in a neighborhood called Georgian acres. I'm calling on agenda items 38 and 39, concerning the properties on Georgian drive on walnut creek for

[indiscernible] In the neighborhood. I'm requesting that you consider providing some additional funding for some up-front crime prevention to

[10:29:12 AM]

environmental design work instead of us waiting the few months or several months that it would take to get the use-only existing resources. I've sent to council a one-page document with one data behind it explaining why it's so important to get to this immediately on this properly, as opposed to waiting. It has to do with the likelihood of the entrenchment of crime there if we don't address the safety and security

concerns right up front. That's pretty much the deal. I hope you'll read the sheet that I sent. It explains the whole picture, and we hope that you will be able to find some additional funds to move along just the public safety portion of this project, and then the rest of the amenity design can follow the usual pard process. This should be our close liaison with pard so that

[10:30:12 AM]

their normal processes and protocols are not interrupted. And that's it. Thank you for listening.

>> For all the speakers in the queue, if you haven't already, please press zero now. Thank you. The next speaker is Joe trek.

>> Mayor Adler and councilmembers. Thank you for allowing me to address city council. My name is Joe trek and I live in district 10. I represent the

[indiscernible] Bluffs hoa neighborhood, a neighborhood of about 200 households. I am here on behalf of our community residents, asking you to approve item 98, authorizing entering domain proceedings on the subject property. Development must not negatively impact our environment, water quality, and safety. This property is surrounded on three sides

[10:31:13 AM]

by bull creek. It is in a critical water quality zone. And it is sensitive to pollution from development adjacent to the creek. Bull creek feeds into the city's water supply system. It is a vital source, not just for surrounding neighborhoods, but all Austin residents.

[Indiscernible] Has been flooded many times in the past. Additional commercial development can dramatically increase the we're volume in bull creek during floods -- increase the water with volume in bull creek. We urge you to not promote leswater quality. The city of Austin has also been interested inquiring this property for many years, not just the reasons I've already stated, but to connect hiking trails from five different parks. These trails are heavily used by swimmers, picnickers, bikers and

[10:32:13 AM]

hikers from all over the city, including your own constituents. We urge you to vote yes to approve item 98 for the benefits of all citizens of Austin. And thank you.

>> June hormel. June, please unmute if you're muted. Jay crassley.

>> Hello. Mayor Adler and council, thank you very much for your time. My name is Jay Crossley, I live in district 4 and

[10:33:13 AM]

work for a nonprofit called farm and city. I called in today to strongly support item 90 and the updated version of item 90, the proposal to place a large bond on the ballot in November, focused on faith and active transportation investments. I'd like to offer three points for your consideration on this proposal. One, as a strong advocate for project connect, I think this safe and active transportation bond is a crucial complement to the transit package. Two, a substantial investment in proven data-backed safety interventions is desperately needed and must be a large part of this package. And then three, now is exactly the time to propose this TRE for transit and equitable development, along the transportation bond, to help sustain our economy and create good jobs. And so on the first item, just -- I have served on

[10:34:16 AM]

the ncac or the project connect advisory network for, I think, three or four years now. I've been engaged in trying to get -- to end Austin's transit austerity measures and to finally fund transit at a normal level for our growing metro region like ours. I'm very excited about project connect, and I'm even going to, at noon today, debate Mr. Jim Scaggs at a Texas public policy event to advocate for project connect and our desperate need for this measure. And from that point of view, I believe having a safe and active transportation bond, a large safe and active transportation bond on the ballot will help complement and pass the transit bond. And then, two, we -- as I've talked to you before, crashes cost the people of Austin much more than congestion, and we must continue to push further on vision zero. And a key point for this bond proposal is that --

[buzzer sounding]

-- Even if we meet our

[10:35:17 AM]

50/50 goal, more people will be driving in the future. And so the safety elements will benefit all austinians, and and you will modes. And so please vote for this measure. Thank you.

>> Elizabeth Kerry.

>> Good morning, mayor and council. My name is Elizabeth Kerry. I live in district 9 and I've been working with council member tovo and her staff for a year to get something like item 86 on the agenda. I just anted to take a minute to give a voice to this agenda item. My partner and I purchased our house at 1301 [indiscernible] Street at the corner of west Gibson street in good faith and didn't have any indication the lot was unplatted back in 1946. Before closing on the house, I checked T cad's records and purchased title insurance. I saw the property has its own tax id, city taxes had been paid. It's changed hands 10 times since 1946.

[10:36:18 AM]

It has its own driveway and utilities. Nothing seemed out of the norm. It wasn't until we submitted a building permit application, we were given news the city had no record of a subdivision application from 1946. So the city considers our lot and the next-door neighbor's at one large lot. I provided you all with a handout showing my two-year timeline of my back and forth with city staff, as well as various support and approvals that we've already received. Everyone from surrounding homeowners, our neighborhood association, and the board of adjustment have supported us. I even included the land status determination approval from dsd, which was revoked within 30 minutes. So it's safe to say that everyone has been confused by this small corner lot, myself and the [indiscernible] Included. I'm happy to see that everything I've learned over the past two years may finally get put to good use. By supporting agenda item 86, you would be providing a clear resolution for me and other unfortunate citizens to get out of

[10:37:19 AM]

this strange limbo. Thank you for your time.

>> Thomas Visco.

>> Good morning, counciembers. I'm calling on behalf of Austin parks foundation, which is very pleased to be a member of the Austin outside coalition. I'm calling y'all to urge passage of item 90 as amended. Many thanks to council member Ellis for her leadership on this item and of course council member Flannigan and council member alter for approving the resolution with their amendments. A safe mobility bond will go a long way to making Austin a more stable and resilient city for people across the city and contribute to the adoption of the asmb, we urge passage and are looking forward to working with you more. Thank you.

>> Carol Guthrie.

>> Good morning, mayor

[10:38:20 AM]

and council. I am Carol Guthrie, and I am with the American federation of state, county, and municipal employees. And we are in all of the districts, and I am calling to ask your support on item 85. This is a resolution that council member Natasha harper-madison has put forward for requesting a holiday for juneteenth. We believe this is long overdue, and we hope that you will all support item 85. Thank you for your time, and be safe. Bye.

>> Amy krazeman.

>> Yes, hello. This is Amy, hi to mayor and all councilmembers. I'm calling in regards to items 42 to actually 52.

[10:39:23 AM]

With 42 -- item 42, I'd like to propose there being a question, all calls to address the possibility of whether or not a person has mental illness, and also I have a concern about police going in with uniforms to assist in the protection of an individual with mental illness. My background is in community health. I'm a nurse, a psychiatric nurse, worked on [indiscernible] Teams and the model with an emphasis with housing first approach is important and crucial at this time. And in regards to the other public health items, I'd like to see support in those, and also stress that there seems to be a disproportionate amount of money allocated to public safety, in particular policing. I think there's a lot of support services that could be done and replace the role of policing in regard to public health

[10:40:23 AM]

and, in particular, mental health. Also I'd like to state I'm in full agreement with Juan and Kendra Scott regarding the St. John's property. So thank you for listening. Take care.

>> Lee Castillo.

>> Good morning, council and mayor Adler. Thank you for allowing me to speak on this item, number 17. My name is ray Castillo and I reside in the St. John's neighborhood. I'm also current the of the St. John's neighborhood association. And I really can't expand on what the first speaker and Ms. Garrett spoke about in favor of this issue. However, I would like to add that last fall, the U.T. Project, which is the university's latest service project, focused on the St. John neighborhood. And one of the speakers at the kickoff rally said

[10:41:23 AM]

that this neighborhood has been neglected for decade -- decades. And the first speaker also repeated the word "Neglect" several times, so I just ask that the council consider approving this item and not neglect this neighborhood any further. So thank you, and appreciate the consideration.

>> To all the speakers on the line, if you have not pressed zero, please do so at this time. Thank you. The next speaker is Riley Hamilton.

>> Good morning. My name is Riley Hamilton and I'm a lifelong resident of district 8. I'm calling to share my profound opposition to the development of montopolis, swivel items 28, 54, 55, 56, and 57. For months, as I know all of you have listened to pleading testimony from fellow austinites,

[10:42:24 AM]

begging for justice, begging for equity, the city has such a long way to go before it's wholly inclusive and we all know that. The proposed development project will perpetuate the gentrification of east Austin and will continue the displacement of black and Latin residents in our city. A continued citywide effort to support commodification rather than affordability. I urge you to reject the development of montopolis and protect this low income community, home to already a marginalized population. You cannot impose institutional racism while also supporting displacement of people of color. Black lives matter and defund A.P.D. Thank you.

>> Andrea kopowitz.

>> Hi. Can you hear me?

>> Yes. Go ahead.

[10:43:25 AM]

>> Hi. My name is Andrea. I'm here today to speak against item number 98, where the city is considering condemning 11 acres on spicewood to add to an existing 5,700-acre park. They're doing it on the basis of continuity and connectivity but the park is very far away from the existing apartments. Neighbors are in fear that the land in between will also be condemned or taken by the city. Council member alter has promised that there's no intent to do so and no funds to do so. After this purchase. So if that's the case, there would be no continuity or connectivity. This land is surrounded by water on three sides. It is not easily accessible. It does bring into question the environmental impact. The water quality has already been in danger from the existing park. There's a lot of poop and there have been closings. The park's -- there are

[10:44:26 AM]



only two agents to manage 300 parks and 2,000 acres of parkland in Austin. It is not enough to manage an additional 11 acres. There's also illegal exampling problems and parking problems for the neighborhood and with a camping ordinance, that may become worse. This is a nuisance to a neighborhood. It feels like we're purchasing this land and spending so much money to make 200 households hoA happy. We should take a lesson from black lives matter, take a pause and think about whether it makes sense to spend upwards of -- if they should be used at 11 acres to 5700 acres, then the owner is offering a free easement. We should think about using these parks to add green spaces to underserved communities in Austin that are often underprivileged and happen to have more minority residents,

[10:45:27 AM]

communities with more spaces and greenbelts --

[buzzer sounding]

-- Thank you for your time.

>> Caitlin McClune.

>> Hello. Can you hear me?

>> Yes. Go ahead.

>> Okay. Mayor and councilmembers, my name is Caitlin McClune, and I live in district 4. I'm calling to express my support for item 117. I'm here to support the development of the St. John property. I see this as an opportunity to combat gentrification and community displacement as a way to confront, encounter the long history of racist housing policies across the nation, but specifically I'm talking about in Austin. Volunteers and community members have done a lot of work in talking to neighbors, asking them what they want and need, and holding meetings with

[10:46:28 AM]

council member Greg Casar, addressing inclusivity for Austin as a whole which is an ongoing problem. Neglect is something that's been mentioned several times by other speakers, including efforts to build a courthouse and police station in the neighborhood. The community has continued to thrive, and I ask that you approve the financing request, release the rfp for the St. John property. There's a beautiful opportunity for displaced residents to return, for families to stay, for job creation, and approving 117 will do much to share the council's support of communities of color in Austin and to express a desire to confront Austin's racist and unadjust history of discriminatory city planning and housing development. We hope that you support item 117, in recognition of the hours of community

[10:47:28 AM]

work that has been put into building this vision for the St. John redevelopment project. Thank you very much for your time.

>> Quincy Dunlap.

>> Yes. Good morning. Thank you, Mr. Mayor and councilmembers and the esteemed public, neighbors, and fellow citizens. I want to speak on behalf of item 117. It's highly important that this project come to fruition with the right kind of supports for the black community built into this to support redevelopment of the St. John's neighborhood. I am supporting this because hopefully the

[indiscernible] Can be one of the anchor organizations to serve that particular community in ways that it is --

[10:48:29 AM]

that hasn't been served in the past. It's highly important that this type of investment be made to show the eastern crescent that the city council and the city manager's office, the city of Austin bureaucracy is committed to investing the necessary resources to revitalize the St. John's neighborhood. This should include right to return and affordable housing, public green spaces that the community can control and take care of and access and utilize. It's highly important that this project comes to fruition, given its geographic location along I-35, and that being prime real estate. It's important that the community where St. John's is positioned have this project to

[10:49:30 AM]

present an equitable quality of life. Oftentimes black and brown communities are displaced because high-dollar developers want to come in and develop property and projects on prime real estate. This is an opportunity to do right by the St. John's community, and I will urge --

[buzzer sounding]

-- City council and the city manager's office to make this project happen. Thank you.

>> Sean o'brien.

>> Good morning. My name is Sean o'brien and I live in district 10, and I do not support the eminent domain proceedings proposed in item 98. On October 17th, 2013, Austin city council voted to pass the

watershed protection ordinance. Council member tovo was on the dais for the unanimous approval, 7 to 0. I bring this up because council member tovo is

[10:50:30 AM]

sitting next to you all on the dais today. This ordinance is young, new, fresh, not antiquated, and it is strict. It is designed for current day. The question I pose to you today, and I ask you to consider while I present, is simple, what was the point of the unanimous decision in 2013 if council in 2020 intends to ignore and overstep this ordinance in favor of the recommendations of staff and parks? The proposed taking has been presented by city staff as connectivity project for bull creek. But the truth is, it is taking to prevent development under the eyes that the development may hurt the environment. This is a statement clearly made by Alison alter and her staff in neighborhood meetings. They tell neighbors they are stopping an environmental threat, which is simply not true. We have three environmental reports that state we are not damaging the habitats of any endangered or threatened species, we are respecting the wetlands and respecting the bluff setbacks.

[10:51:32 AM]

There's even guidance in our environmental reports regarding when construction can occur in order to prevent

[indiscernible] Impacts. We intend to follow all of these guidelines. If we're aware and very respectful of the environment around us and asking for zero variance related to the restrictive watershed protective ordinance, why should I project be halted by eminent domain? The answer is simple. It's not an issue of environmental protection, simply it is a taking to prevent development. The 2013 watershed ordinance is an effective tool already in place. Let it do its job and regulate development near our creek. Thank you.

[Buzzer sounding]

>> Christopher Kennedy. >>

[10:52:35 AM]

Mayor, we're connecting. One second.

>> Mayor Adler: Okay.

>> Mayor, we're getting the message that the wi-fi is down so I'm not sure if the network is down so if you can please give us a second to figure this out. Thank you.

>> Mayor Adler: Okay. Colleagues, let's take a five-minute recess and let them work on it.

[10:53:40 AM]

[Recess]

[10:56:48 AM]

>> Next speaker is --

>> Mayor Adler: Hang on one second here. Let me confirm we have a quorum back.

>> I'm sorry.

>> Mayor Adler: I see four of us. Is anybody else hanging around? That's five of us. We need one more. Okay. Go ahead. Clerk, we have a quorum. At 10:57, let's proceed.

>> Christopher Kennedy.

>> Hi. My name is Chris Kennedy. I live in district 9. I'm calling to speak on item 74. I've been working in the health community in Austin and witnessed firsthand over and over, over the last year, how inhumane and dignified

[indiscernible] Cleanups are at the homeless encampments under the bridge. I've watched crews throw

[10:57:49 AM]

way unopened drinking water, mattresses, shelter structures, crutches, walkers, tents and other gear necessary for survival. During the cleanups, unhoused residents are forced to choose whether to go to work or to stay by their tent to protect their possessions. One man I talked to last week missed his first day of work because he stayed by his tent to wait for the cleanup, only to find that the cleanup crew never showed up that day as they were scheduled to. He lost that job because of it. Notices about cleanups are in English only, an indication that this operation is unprepared for an ignorant to the diverse and complex needs of non-english speakers, those dealing with physical and mental disabilities, and those unable to gather their belongings for other reasons outside of their control. This is not a solution. This is a displacement campaign. What is your answer for where unhoused residents should go? Please do not prioritize to antihomeless wishes of a small negative minority

[10:58:50 AM]

in Austin instead of doing what is right for the well-being of all austinites, including the unhoused. These so-called cleanups are human rights violations and an added layer of distress to those already struggling to survive and facing deep poverty and trauma. These millions of dollars going to abusive subcontractors should go to humane, dignified voluntary trash pickup, as well as housing services and other basic needs like drinking water. Please vote no on item 74. Thank you.

>> Kate parling.

>> Hello.

>> Yes, go ahead.

>> Can you hear me?

>> Yes, please proceed.

>> This is Kate parling and I live at 209 walnut drive and I own 206 walnut drive in district 4 speaking on 38

[10:59:50 AM]

and 39. First thing is in 2016 I sent a note to Mr. Casar about deleting half my property for a park along little walnut creek and I got message back there were no plans for making a park there, now that's changed. I notice the city is spending \$600,000 on a -- on buying the two properties. I feel like I need to get a little -- I want to sell half of my property, the part that's in the creek bed to continue the park eastward towards I-35. There a great opportunity for a big park further down the creek on the flood zone

[11:00:50 AM]

[inaudible], but I just had a curve ball thrown this morning. I was walking the creek taking a look at it and I found a dead body just outside my property on the creek bed. The police are taking care of that. The reason I want to keep part of my property is to be able to fence it off from people coming through because there are dead bodies there. And the city got in touch with me to buy the property a little while ago so they stopped talking to me so I'm curious about what happened to that. That's about all.

>> Casar: Mayor? Sorry, mayor, I think you are on mute.

>> Mayor Adler: Yes, go ahead.

>> Casar: Thank you for raising this, sir --

[buzzer sounding]

-- The park issue, but second about the much more alarming and serious issue that he just described about finding a body this morning.

[11:01:50 AM]

That should immediately be investigated and find out what it is that happened, that's awful, and we should start looking into that immediately.

>> Mayor Adler: Yes, councilmember harper-madison. You are on mute harper-madison thank you. I was going to ask the speaker to reach out to my office but I think I'll work with councilmember Casar but I'm very interested in this situation. I think we have a similar situation in d1, so thank you to the speaker for daylighting that issue.

>> Mayor Adler: Okay. Thank you. Clerk.

>> Okay, next speaker is master Julian Reyes.

>> This is -- from the Austin homeless newspaper.

[11:02:50 AM]

I report the news regarding the unhoused community. The continual homeless -- homelessness criminalization by the council propelled by the Republican party has caused violence and damage to myself and others. I've been arrested multiple times for simply filming and trying to get the public to be able to see what the government is doing. The supervisors for several of the crews including a public works employee named J.R. Lopez, they have assaulted me, they have had the police arrest me for standing and filming. They have -- they've stolen multiple people's property in front of us. They've cussed me out. They've used lewd language. They don't follow the laws of the land that everybody else follows, and it's creating a felonious atmosphere that's going to cause the city great liability and suffering when my video comes out.

[11:03:52 AM]

The fact that the mayor, city council and Spencer cronk haven't done anything to curb the police violence against journalists like myself and filmers like any citizen is a violation of federal law. You guys are in conspiracy against me and you need to stop. You are a conspiracy of parties against others. You guys need to stop. You need to plan to care for people and we're not going to put up with it anymore. We find you illegal, everything the city is involved in with regard to the homeless is either neglectful or criminal and you should be prosecuted for that, you will be prosecuted for that if I have anything to say

about it. I'm teaching people their rights, that they are humans and they don't have to cower and let people steal their stuff like has been traditionally done from city council --

[buzzer sounding]

-- I want to know what the city is going to do about it

[11:04:53 AM]

because this abuse is not going to stand anymore. This is a or else matter. You guys need to stop what you are doing or else.

>> Turn my mic on.

>> Mayor Adler: Thank you.

>> Jeremy Hendricks.

>> Good morning and thank you, mayor and city council. I'm Jeremy Hendricks about the laborers international union and a resident of councilmember Casar's district. I'm here to talk about operation safe streets. As you know, my local 1095 represents construction workers who build and maintain Austin and surrounding communities. In addition to the item on the November ballot funding project connect, which we strongly support, we also believe there should be a separate ballot item to make streets safer for all

[11:05:54 AM]

transportation modes including walking, bicycling, using a mobility assisted device and driving even. As you know, construction workers are often working downtown and other places with no available parking or often very expensive parking, which is -- they are walking, taking bicycles, often miles from parking for their jobs. These workers deserve safer streets to get to work out of harm's way and get back home safely to their families. Unfortunately Texas is already an unsafe place for workers and the last thing we need is also have our streets be unsafe for them. I believe this is key for keeping workers in Austin because people want to live and work in cities where they don't have to drive everywhere and get to job sites safely. It provides the opportunity for healthier citizens and healthier environment for all of us. Thank you for your time and leadership and making Austin a better place for workers to get around. Please vote yes on item 90.

[11:06:56 AM]

Take care and stay safe out there.

>> Mayor Adler: Thank you. Colleagues, I just want to note that our colleague councilmember tovo is dealing with a pretty serious family issue. She's going to be in and out of the meeting today, but her staff is listening. Clerk, would you please go ahead.

>> For all the speakers in the queue, if you haven't already, please press zero. Thank you. The next speaker is Caesar Acosta.

>> Hello. My name is Caesar Acosta, I'm the president of aura and I'm here to speak in favor of item 117. In 2018, U.T. Released its report on displacement in Austin entitled uprooted and listed St. John's as an area highly vulnerable to gentrification. Over the last five years on my way to work or walking the neighborhood, I've seen the truth in that

[11:07:58 AM]

assessment. Staying in the neighborhood is a challenge for both long-term residents but also renters like myself. My wife and I want to stay here and want to start a family, but despite the fact we both have master's degrees and salaried jobs, today there are no homes we could afford in the St. John's area. Despite the challenges we're seeing with displacement, the community has come together on this issue and looked at their future and as other speakers have said, there's been years of planning, discussing and building a vision for what that Home Depot lot should look like and now we're finally seeing a chance for that to come to fruition. This redevelopment is a once in a generation chance for not only increasing the house but also for the city to show a process to move forward. For us to be able to put city investments of funds and also community effort and leading how that development occurs. This is a true benefit and an investment in our community and as so many others have said, this is a chance to kind of move away

[11:08:58 AM]

from the neglect the neighborhood has faced and show the city is not only listening to our voices but putting forth the funds that will help fund. That thank you so much, councilmember Casar to help putting that vision forward and please to the rest of council, this is a benefit not just for this neighborhood but for the entire city. A process and method for how mixed use and development can benefit all residents. With me remaining time, I support item 90 as well. Thank you all very much for your time.

>> Shelby Massey.

>> Good morning. My name is Shelby Massey, a resident of district 5 and government director for the American heart association. On behalf of the American heart association --

>> I'm having a hard time hearing her.



>> I'm sorry.

>> Mayor Adler: Can you

[11:09:59 AM]

step closer to the microphone? That may have just been a bad connection. Clerk, that caller probably needs to call back in.

>> Yes, we will connect her. The next speaker is Austin Hess.

>> Hi. I'm calling regarding item 74, and I'm opposed to that. I'm [inaudible] Contract extension to release enterprises for further so-called cleanups. And the abuses of enterprise and public works are well documented. They involuntarily confiscate people's survival gear with the clear goal of displacing them. So the question is will

[11:10:59 AM]

council approve the measure assuring us reforms to rein them in for something as violent and cruel as the camping ban. The people who work exercises are actively pro displacement. Even bush chooses what to take from people he doesn't perceive being nice to him living outdoors. He [inaudible] Many unhoused people as soon as covid-19 lessons, the restrictions he will be able to go back to what he was doing before, ripping the tents out of people's hands such as he did in Riverside drive. So how can you approve this measure to give human power to make the decisions on the ground assuring yourselves that some -- vague assurances of improved practices will make this process which is fundamentally violent safer? It's a matter of public

[11:12:00 AM]

health, why do people have to walk more than a quarter mile in some cases to access a [inaudible]. To know what the sweeps are about, let me me read from an internal email from something in the watershed department. Would it be possible to have a cleanup on March 5 or 6? Watershed has he event at a park on March 7 that has a encampment right next to it. This among with dozens of other incidents --

[buzzer sounding]

-- From public places for no reason other a than them being eyesores. Basically a camping ban in disguise. You must vote the item down.

>> Anise Castillo.

>> Hi there. Good morning and hello mayor Adler and council. I'm anise Castillo, a resident of councilmember

[11:13:00 AM]

Cesar's district 4 and chair of the St. John's park committee. Today I'm advocating for you to vote in favor of the home Depot redevelopment project and I'm here to encourage you to do more. The park is such a great example of what we can do in partnership and with thoughtful funding and fundraising. It was attached with a dilapidated empty swimming pool and it's become a safe place for St. John's residents, especially children to play and be healthy. It's a glimmer of what expanded green space --

>> Chair, I can't hear the speaker?

>> Can you not hear me at all?

>> Mayor Adler: You just have to step close to the microphone.

>> Can you not hear me at all?

>> Mayor Adler: We can hear you if you stay close to the microphone.

>> Okay. Thank you. St. John's park is an example of what we can do in partnership. So please recall the partnership of the Austin parks foundation, the city and other organizations to help make the pocket park a reality. Let's do more.

[11:14:02 AM]

The St. John's neighborhood is full of rich history and we have an opportunity to continue to honor the original black residents that founded the neighborhood. And this is so important, especially now. We have an opportunity to responsibly develop the community in east Austin. I want to say I live in a city that considers all its residents equitably so let's do more. The St. John's neighborhood is diverse, vibrant and bright. Let's highlight good and responsible, would like the kind that helped inform the Home Depot, item 117 before you today. We worked really hard on helping to inform this item as a community with inclusive and diverse voices. Let's do more and council, please help us do more. Thank you so much.

>> Shelby Hess. Shelby, please unmute if

[11:15:02 AM]

muted.

>> Good morning. My name is Shelby Massey and I'm a resident of district 5 and the government relations director for the American heart association in Texas. On behalf of American heart association's Austin board of directors, I'm speaking in support of item 90 and I would like to thank councilmember Ellis for her leadership on this issue and mayor Adler and other councilmembers who have already expressed support. A broad coalition of organizations that support passing 90 and the resolution to separate the active transportation portion of the bond proposition. We also support the project connect system plan and we're happy to see it move -- be voted unanimously earlier this week to move forward, but we think it's critical the active transportation projects are prioritized through a separate bond proposition. Our trail systems, bike lanes, outdoor spaces are not only part of what makes Austin a great city, but they are critically important for public health. Heart disease continues to be the number one cause of

[11:16:03 AM]

death in the U.S., but it's 80% preventable when we with make healthy choices. Our ability to make healthy choices is heavily impacted by the environment around us and access to safe and convenient places to be active plays a big role in whether we can incorporate this physical activity into our routines. Unfortunately Austin's obesity rate, which is an important risk factor for heart disease continues to climb and disproportionately impacts communities of color. With black austinians being more than twice as likely as white counterparts to be at unhealthy weight. So we view this as we have an opportunity here to continue to invest in a meaningful, equitable way to make Austin a healthier and safer city for everyone. So we urge you to support item 90 as amended and an active transportation bond will help us move along that path. Thank you for your time this morning.

>> If there are any speakers

[11:17:03 AM]

on the line that have not pressed zero, please do so at this time. Thank you. Rachel McGill.

>> Good morning, mayor Adler and councilmembers. My name is Rachel McGill and I live in councilmember alter's district 10. I'm calling to support item 98, the recommendation for the city to purchase the property at 6315 spicewood springs road to keep it in public domain as part of the city's park system. I support this recommendation because I believe we need increased access on the bull creek area because of the amount of use the park sees. This property would be a key component in achieving this increased access. I also support the recommendation because I believe further development along the creek will have a negative environmental impact. The bull creek watershed is already stressed. We've had raw sewage leaking into the creek from aging infrastructure as well as pollution concerns making algae blooms. The greenbelt suffers more

[11:18:05 AM]

each year as austinites come to cool off in only one of three access points along the creek. Nearly every summer the water is deemed unsafe for swimming. Bull creek is an environmentally sensitive area. The city has already made partial investment into protecting this particular water quality zone by acquiring adjacent land. The quality of water that bull creek deposits into our water supply is further degraded. The covid-19 pandemic has been an eye opener for the important health of our community. We've had people coming all over to safely get outside during the lockdown. We're in such need of expanded access to the creek we had to close bull creek greenbelt for the month of July because there's not room for the number of austinites that want to come out and enjoy the park. Acquiring this property will allow the city to make a continuous greenbelt trail to the bull creek district

[11:19:06 AM]

park. This would be a spectacular addition to the city's trail system. Acquiring this would increase access to one of the city's most treasured green spaces and further safeguard the water quality in this environmentally sensitive area. Thank you very much for your consideration.

[Buzzer sounding]

>> Bobby lavinski.

>> Hello, mayor and council, this is Bobby lavinski with the save our springs alliance. I'm going to piggyback off the previous speaker in support of item 98 and point you to a letter I sent you on July 21. That letter was signed and supported by the clean water action, environment Texas, save Barton creek association and Sierra club. As you may be aware, this location has been on the radar for over a decade giving its unique location along bull creek. This site is entirely located within the critical water quality zone and the water quality transition Zones of bull creek and it's almost entirely located within the flood plain.

[11:20:06 AM]

And given climate change, that situation is only going to get more severe as time goes on. From an endangered species perspective, it would be a good transition from the preserve system and it's also an ideal location to protect downstream streams that are known habitat for threatened species. I've been personally tracking this development for several years and we actually had a pretty scary moment during the last legislative session when hb 3750 threatened to take the city's control of doing water quality regulations on this site. It's one of the few sites that would have been affected by that bill and it was only a last-minute procedural miracle by representative [inaudible] That killed the bill. I also want to

clarify some comments earlier about the cwo. That ordinance actually was an extension of a water quality protections to protect east side creeks. The cwo is not a substitute

[11:21:07 AM]

for protecting water quality transition Zones along our creeks. It's a minimal bar. And a low bar at that. I understand that the parks department is going to be moving forward with some similar situated properties along walnut and Williamson he can crew and hopefully our creeks and I would encourage council to prioritize those acquisitions as well. We can't just rely on ordinances to protect our creeks. We have to do corrective acquisitions as well.

[Buzzer sounding] I want to personally thank the parks department for moving forward with this and I can't think of better use for the water treatment plant number 4 mitigation funds. Thank you.

>> Adam Greenfield.

>> Yes, thank you. My name is Adam Greenfield. I'm a district 3 resident, board president of walk stun and Austin and here to speak in support in the updated version of item 90.

[11:22:08 AM]

Walk and bike Austin are part of the Austin outside coalition which has collected a remarkable level of support for a separate safe mobility bond from almost 100 organizations and businesses, from equity focus health groups to parks and trails organizations, neighborhood associations, local businesses and labor groups. In addition, well over 3,000 members of the public representing every council district have signed our petition and just this week in an Austin based community survey commissioned by move atx, 55% of respondents said they would prefer to get around using a mode other than a personal car. That's a 5% increase from a similar survey last year. This all adds up to an unprecedented level of public support for this bond. Mayor and councilmembers, we believe you are also ready to support a separate safe mobility bond. This is the most transportation Progressive city council in our city's history. Your vision and leadership has led to the ground

[11:23:10 AM]

breaking healthy streets program, protected bike claims on congress avenue, life saving reductions in citywide speed limits and historic levels of pedestrian, bike and safe streets improvements as part of the 2016 mobility bond. Active transportation and transit do work together. They strongly depend on each other's presence and that's why this November we need a public vote for both project connect and a

separate active transportation safe streets bond item. Austin is ready to take this unprecedented progress to the next level and we encourage you to vote for the amended item 90. Thank you --

[buzzer sounding]

-- For everything you've done to make Austin safer and more equitable. Thank you.

>> Akeem mclenan.

>> Hello. Good morning, mayor and council. I'm a member of the saint

[11:24:11 AM]

John neighborhood association in district 4. I'm calling in support for item 117 on the agenda for redevelopment of the property on saint John half new and I-35.

-- Avenue. Not to sound like a broken record, but for over 12 years this vacant property has been a symbol of neglect and despair in the community. The first thing you see when you drive in the neighborhood is a dilapidated city building. Over the past few years, I've had the opportunity to go door to door and survey members of the community and I see a mixture of hope and pessimism for the possibilities for this property. For many residents the assumption was their voices would be ignored, however, I'm excited the very voices who formed the basis of the rfp used for the development. I'm hoping that approving this resolution will be the first step in turning over a new leaf in the future of

[11:25:11 AM]

the St. John community. Thank you.

>> Patty hamm.

>> Hello, mayor Adler and councilmembers. My name is Patty hamm and I live in district 10, Alison alter's district and talking about support of item 98, the recommendation for the city to purchase the project on surprise wood springs road for the purpose of retaining it in the public domain as part of the city's park system. I'm very proud to be a native austinite born and raised in Austin, U.T. Graduate and employed by U.T. For almost 30 years. I have seen the city grow and mature over the years, but one constant draw I love as to many other citizens and businesses that are drawn to Austin will the beautiful parks and green spaces we all have access to enjoy. These assets that are invaluable to the city and citizens. I have two strong concerns. First if the property is

[11:26:12 AM]

developed, there's a risk to the water quality, as many have mentioned in other comments previously, and the city often has to close this area due to e-coli contamination. Increased development in this area would increase the water volume of bull creek and as evidence for the frequent low-water crossings closing in this area. Heavy rains are evident there's a big risk from flooding, which would also, you know, increase the risk of the water quality for bull creek. The development of this property would limit this beautiful green space to only a few but at risk to the environment. The city has a great opportunity to acquire this property and enable the city to connect several hiking trails as mentioned previously and extend the wonderful trail system that we have in this city. The current circumstances we are all enduring bring home now more than ever the importance and value of the availability for all in the city to have beautiful green

[11:27:14 AM]

space within our city to enjoy and to refresh our spirits. I strongly encourage council to vote in viewing area of firing the property and support the quality of the air.

[Buzzer sounding]

-- And beauty for the current and future citizens of Austin.

>> For all the speakers in queue, if you haven't already, please press zero. Tori Guerrero.

>> Hi, I'm a resident of district 2 and I am calling in support of resolution 89 for the child care that is coming down on many parents here in Austin. We all know this is going to affect minority children the most and especially kids at titled 1 schools. I want to ask council as you go through and pass this resolution to not forget the older kids, most of this is in regards to younger kids under fourth and fifth grade

[11:28:14 AM]

and so we can't forget the teens in this. They also need somewhere safe to be and I just want to thank everybody for all your hard work and helping out the community. Thanks, guys.

>> The next speaker is Joyce stats.

>> Thank you for the opportunity to speak in favor of item 98 on your agenda. The acquisition of property at 6315 spicewood springs road. I'm Joyce stats, a long time resident of district 10, member of the northwest Austin civic association, board of directioners and parks and zoning committee. Last three all three entities voted to support this item. When visiting the bull creek area, we see both the district park and greenbelt are jewels enjoyed by all of Austin. In normal times the whole area is overrun by families from around the city enjoying time in the water, walking through the greenbelt, picnicking in the park and along the creek.

[11:29:15 AM]

As part of our parks committee, I lead our monthly cleanups at bull creek and pleased to note we draw volunteers from throughout the city to help. Since we can do them socially distanced, we've resumed some of that cleanup this summer. The long range plan which you approved last November includes a line item for acquiring land along this greenbelt. It also includes items to do trail development and repair. So with the acquisition, you enable trail development that completes a gap in the bull creek greenbelt and serves the whole city. And as other speakers pointed out, an important side benefit, you help protect the creek and trails from hazards that might occur on this land if you don't acquire it. From prior testimony, one of my key concerns is welfare mitigation. Putting this property into the trail system helps us ensure that the green space will be managed carefully by groups which understand how

[11:30:15 AM]

to do that and eliminate the wildfire risk. Citizens throughout Austin thank you very much for your support on this item.

>> The next speaker is Lynn cowl.

>> Hey, this is Lynn. Thanks, mayor and council for hearing me. I'm calling in opposition to item 74. The cleanups of many speakers before have never failed to remove people's homes from under underpasses and it's a humanitarian process. Amy Slagle told the Austin monitor their primary goal is getting trash out from under the under passes and that they would only remove people's gear if it had been abandoned, but again, this has been said before, but

[11:31:15 AM]

ditto and second the voices that have already said people don't abandon their homes even though they are under a bridge. They just go somewhere else to go to work or to move around. So it just -- it's just a really simplistic and ignorant way to look at the bridge cleanup right now. But anyway, yeah, so I'm calling in opposition and thank you for your time.

>> Grace Hanson.

>> Hi, I'm calling to support item 117 and encourage councilmembers who haven't already decided to support this agenda item -- sorry, item agenda to do so. I think we're all aware of how devastating on affordable housing and gentrification are to fabric of Austin's communities. If anyone is not, they need look no further than just around them and if you need numbers, Dr. King's recent



[11:32:16 AM]

study of Austin's declining African-American population showed how devastating gentrification is to communities who have been in Austin for decades. East Austin's black population decreased 66% while the white population increased 442%. Families are hassled by developers to sell homes losing their communities schools and traveling great distances to maintain a sense of community by returning to churches and neighborhoods as they have been forced to move farther out. Obviously this is just one example of the ways that gentrification and unaffordable housing impacts communities here. The residents of district 4 have made it clear what they want to see in the St. John's property and not a police station, not a courthouse, but a real amenity that serves the community. Please support item 117. Thank you.

>> David Kahn.

[11:33:16 AM]

>> Hi, I'm calling against item 98, condemnation. In two minutes I'm going to try to convince you to do the right thing, accept the donation of a beautiful new accessible greenbelt instead of using unnecessary spending millions of public dollars. First the fact. The land would not in fact complete any trail bus that would be five miles and require dozens of more properties. There is no pressing need for another park in this area, nor is there an environmental imperative to forcibly take this land. The area of northwest Austin has more parkland and open space than any area of the city. The environmentally sensitive project I've been working on for five years, a small hotel, modeled on the beloved lodges in our national park system, poses no environmental issues. Built on less than 6% of the land would fully comply with all watershed protection ordinances. This is spot zoning, spot condemnation to stop a

[11:34:16 AM]

perfectly legal and environmentally sound project some people don't support. They are entitled to their opinion, but is this how eminent domain should be used in in a meeting with Randy Scott of the parks department in front of dozens of witnesses he stated why would I take a free easement when we're going to take all your land? Why? Because it's not his money. Bond money from parks is a wonderful thing to have, but it's not infinite. It also doesn't cover the cost of building and securing the trail which have offered to provide for free. In this year of the pandemic as every dollar ever counted more. The government's right to force people to sell their property shall always be used with abundance of caution and argue only when there's no other way to provide the public benefit. That is not the case here. I'm asking you to please protect both the public dollars and the citizens' rights. Specifically I'm asking you to please direct staff,

[11:35:16 AM]

please direct staff to seriously and in good faith negotiate a free easement --

[buzzer sounding]

-- Extending the greenbelt without [inaudible] Public dollars.

>> Chair, can you get that caller to stay on the line for a moment?

>> I'm here.

>> Mayor Adler: Yes.

>> Harper-madison: Sir, I'm sorry, it kind of broke up for me. There's some construction happening in my backyard. Did you say that somebody said why would I do that if we're going to take all your land anyway? Can you repeat that statement in?

>> Yes. In a meeting with about a dozen people from parks, environmental and the

[inaudible] State department, Randy Scott, who is an officer of the parks department, I offered to give the city a free easement so that the people could connect the trail, walk on the trail, enjoy the

[11:36:18 AM]

park. And in front of dozens of witnesses he stated to me, why would we take a free easement when we're going to take all your land anyway? And I really feel that's because it's not his money. Parks department staff is not being truthful to council and is framing this as an environmental issue when they can really get the actions that they need, the trail that they need and say the city \$10 million.

>> Harper-madison: Thank you. I appreciate you clarifying that for me.

>> Mayor Adler: Clerk, go ahead.

>> Braden Mcnealy.

>> Hi. I am going to speak about item number 85 in support of that. As an afscme member, afscme has a long history of fighting for the [inaudible]

[11:37:21 AM]

Most notably when Dr. Martin Luther king went -- in that spirit I want to encourage you to make a city haled particularly in Texas. I think it's time for the city to recognize and celebrate the day for what it is for our community. Thank you.

>> To all the speakers on the line, if you haven't already done so, please press zero. Thank you. Julie range.

>> Hi. Hi, this is Julie range. I'm a homeowner in the area around the item number 98 or the property in question, item 98. 6315 spicewood springs road. I sent you all a piece of mail that -- or email that sums up a lot of what I was going to say, but I feel like I should take the opportunity to address Mr. Kahn. Some of his points.

[11:38:21 AM]

He said that he would offer an easement and that he's only building in 6% of his property -- and I wanted to point out the reason for that is because the vast majority of his property sits in the flood plain. And his plans include a septic system because he was not able to gain access to the city's septic off -- sewer system. And that his septic system will sit within yard of the flood plain and those risks sewage spills and environmental calamity for all of the citizens that utilize the stream. And I just -- I honestly think that a park would be a much better use of this property that does not include the risks that he -- he -- his development would pose. I think that there -- while there are parks in the area, this area is a gem and it's a jewel.

[11:39:21 AM]

It has -- it has a gorgeous cliff face that makes this property special and unique. While he offers up a trail that doesn't necessarily come with full use of that whole area, and I just -- I think that it would be much better served to be the gem and the jewel that citizens of Austin could appreciate. If the city owned that property right out and didn't have a small trail access through it. I'll yield the rest of my time.

>> Frank nasher. Frank, if you are on mute, please unmute.

>> Oops, I was on mute. Thank you so much. I am frank nasher, from district 1, call in favor of

[11:40:24 AM]

item 117, the St. John's purchase. I think that that would be great housing. We all know that affordability is a huge problem in Austin and we need to make more affordable housing. I would also like to call against item number 74. This is the -- the -- the sweeping contract with various organizations

like work quest that have broken up and hurt camps of people and instead we should be using the purple bag system and providing trash take-out service like we would any other residents in Austin. Thanks. Appreciate your time.

>> If there are any speakers in the queue, please press zero now. Mayor, that was the last speaker.

[11:41:26 AM]

Never mind. There's one more calling in. Jamie conaster.

>> Hi, my name is Jamie conaster and I live in district 4. I'm calling to speak on item number 74, the contract with release enterprises. And I just wanted to say that I've witnessed release enterprises do a sweep of the camps, and the sweeps have not been compassionate, they have been inhumane. They cause fear, they take people's structures, tarps, water, sleeping pads, tarps and in one case frequently they took someone's bag with their id in it and I'm sure this happens all the time. This is just a small part of what I've personally witnessed. And in order to advocate and

[11:42:27 AM]

protect the people that are -- that do not have houses, we need to change focus, focus on a violet bag program, a pickup program so trash can be removed on a voluntary basis. When relief enterprises comes through, they are taking peoples things. People are telling them not to take certain things. They have dismantled structures people are living in. People do not have the privilege of having a tent and have built a structure for themselves to sleep under. They have taken those. They have cut them off of poles and taken them and put them in the trash. So please vote no for item 74. Treat our unhoused neighbors with the dignity and respect they deserve. If you are going to pay someone, a company, to spend -- if you are going to spend \$1,725,000 to pay

[11:43:28 AM]

someone, pay someone who can do it be compassion and respect. Thank you.

>> Mayor, that concludes all the speakers.

>> Mayor Adler: Clerk, thank you very much. Colleagues, we have 15 minutes before we take our noon break. Let's see the things we can take care of. I'm showing consent agenda is items 1 through 96 and items 106 to 117. And that the pulled items are items -- pulled items 24, 29, 74, 86, and 90. Is there a motion to approve

[11:44:31 AM]

the consent agenda? Mayor pro tem makes the motion. Councilmember harper-madison seconds it. I need a second to the motion. Councilmember pool seconds the motion. Discussion on the consent agenda? Mayor pro tem? Then councilmember harper-madison.

>> Garza: I didn't want to pull 116 because I know we have some discussion and stuff, I just want to quickly say a few things about 116, the resolution asking the state of Texas to address the urgent needs of the state's critical child care infrastructure resulting from covid-19. Access to affordable child care is a necessity for millions of families across the state and a fundamental part of our infrastructure of our economy. Right now so many child care right now, so many child care centers are having to close or lay off some of their workers. It's a looming crisis, but as I've said before about child care issue, it's also a quiet crisis because families just struggle through this

[11:45:31 AM]

issue, child care centers struggle through this issue and they don't get the attention they deserve. I'm grateful for council member tovo, council member alter's leadership on this child care issuing, the entire council, we've been so great about this issue. But it really is a crisis that we're in. Child care centers, I'm hearing from parents every day about losing their ability to go to work as social workers because child care centers are closing. And the city really needs help from -- we really need help from the federal government as well. The bucket that we were able to allocate was cares money. Unless there's more federal stimulus money, we're not going to be able to help these centers. Such an important part of our economy. Thank you to United Way, especially Cathy

[indiscernible] Need to work to raise this issue for families.

>> Mayor Adler: Thank you. Council member harper-madison.

>> Harper-madison: Thank you, mayor pro tem for bringing that up. I'm probably getting a

[11:46:34 AM]

similar quantity of calls, folks are really struggling, so thank you for daylighting that I just want to say a few things. I brought several items for consideration today, so -- well, it's been a heck of a summer and I don't have to tell you that. I understand why they used to call July vacation, but nobody took a vacation this year. And if so, it was brief. We found ourselves living in a historic moment this year. The city of Austin turns 181 years old this year. It was founded by white men to serve at the capital of a republic whose constitution protected slavery and explicitly barred black and indigenous people from citizenship. Since then, we've had sliver, the kkk, Jim crow, segregation, and, frankly, benign neglect, racial violence,

[11:47:34 AM]

disinvestment, displacement, and the distinction of being the only fast-growing U.S. Metropolitan city with a shrinking black population. The incountless and they aren't because African Americans are inherently inferior.

-- They are the fruits of generations worth of discriminatory and racist policies, things like housing policies from the federal level on down to the local level that kept black residents from even reaching the ground floor of generational wealth building. Policies that said you have to live in this part of town, and if you want access to good jobs or good health clinics, you better be able to afford reliable transportation to get there. Policies that maintain the school to prison pipeline and a lifetime cycle of poverty for partaking in a drug that local hero Willie Nelson

[11:48:37 AM]

openly celebrates at the unveiling of this is statue next to the city hall. Jim crow no longer lives openly in Austin. Most of the time explicit racism is no longer accepted in polite society. That doesn't mean the job is done. Implicit racism is all around us. Our city's institutions were built on a foundation of white supremacy, and we have to recognize that before we can start to resolve it. They talk about the city council taking a summer vacation, but I can tell you that the district 1 office has had no such privilege. We were hard at work with our colleagues and the city staff, putting together four important items that I know will move us a step, maybe two, forward along the journey to erasing racism in Austin. In America, we love to celebrate freedom and there's no purer way to do that than to celebrate freedom from 200-plus

[11:49:41 AM]

years of human slavery. With item number 85, we have the opportunity to recognize that black history is American history, and it is, in fact, Austin history. By recognizing juneteenth as a city holiday, we will signal that we know freedom in this country has only been unlocked in stages. And it's a long journey we're still marching on the wider the celebration of juneteenth, the larger the opportunity for all of us to learn, reconcile, and grow, as a community, together. And while we're doing that, it's also time to assess living memorials to white supremacy, particularly those linked to the confederacy. The confederacy is a symbol of white supremacy. Domestic terrorism and the tyranny of lynching, and a system of race --

[11:50:42 AM]

race-based chattel slavery. It would be the height of hypocrisy to say black lives matter while not addressing the elephant in our streets, considerate avenue, plantation road, and Dixie drive. These existing street names have no place in the city of Austin. With item number 91, I hope we can speed up the process of reimagining the names of our public spaces and not by erasing history, but by teaching history, and honoring the parts that don't alienate, but rather dignify all austinites. And while we're learning our history, it's time to start correcting policies from our past that perpetuate implicit racism. Our open consumption regulations include bans on certain neighborhoods, east of I-35. It's easy to read that as racism, paternalism, and the legacy of organized and intentional segregation, and frankly, we do not have to accept that.

[11:51:42 AM]

Not today and definitely not tomorrow. To be crystal clear, item 88 does not allow people to be openly drunk in public. It's frowned upon and frankly illegal. Public intoxication is still prohibited. I am glad we have compassionate and fiscally responsible resources like the sobering center to help us confront substance use disorder in our city. What it does, though, is in a double standard for east side residents who haven't had access to most of their mostly white and wealthier neighbors on the other side of the highway. These actions were taken -- we're taking today are absolutely, by no means, the silver bullet that will occur all that ails Austin and our country. But they represent steps forward, steps forward that we can build upon as we go. That's especially true for item 113. A black child born today

[11:52:43 AM]

can expect to live a shorter life than a white child born one room over. A study out of Princeton shows that most of the life expectancy divide between African Americans and white Americans is based on socioeconomic factors. Those socioeconomic factors the largely the results of generations that are explicitly and implicitly racist policies, lack of access to proper health care, being forced to live in environmentally dangerous areas, and subpar accommodations, dying at the hands of police rates that are three times higher than white people, disproportionate deaths from diseases like COVID-19, HIV, and AIDS. Racism is literally killing black and brown people. 'S a public health crisis, and it is beyond time to treat it as such. Like I said, these items are just a start. We still have so much more to address. All of our existing

[11:53:43 AM]

policies, there are so many of them that are, in fact, vestiges of Jim crow. That means eventually grappling with our land development code that helps to uphold our city's status quo, segregation, for now, we have these items, though. And I want to thank my colleagues and the city staff for helping me bring these forward. It did take a lot of work for us to figure this out, so truly, thank you for everybody who was a part of it. My staff worked so hard, so thank you to them. The people from the community, including Brian register, with deconfederate Austin, who also gave us extremely valuable support, thank you also. I look forward to passing these items and to moving forward and onward together. Thank you for your time.

>> Mayor Adler: Thank you. Proud to be part in voting for these things. Council member

[11:54:43 AM]

harper-madison. Colleagues, on the consent agenda, item --

>> Casar: Mayor?

>> Mayor Adler: Yes? Before we dod I know

-- I see people with their hands raised. With respect to the consent agenda, item 89 is another child care item for all the reasons that council member harper-madison and mayor pro tem Garza with her effort on that, this is the same kind of thing. Appreciate council members alter and the mayor pro tem and council member harper-madison, Kathie tovo, in supporting it. I want to point out to you that there's been a v3 that's been filed in backup. V3 just adds one resolved" clause, should use of city facilities such as recreation centers be helpful to local school districts and working families for working construction and possibly longer, due to covid-19 the manager is to collaborate with local school districts to get those facilities

[11:55:43 AM]

available when feasible. This is for schools that might be looking for physical spaces for students to be able to gather together, it just makes the space available. Without objection, that is included in the version of 89 that is on the consent agenda. Any other comments on the consent agenda? Council member pool, council member Renteria, and then council member a lot.

>> Pool: Thanks, mayor. Thanks to pointing out the child care 23489, I'm supportive of that, and on 116, I also want to thank [indiscernible] And folk with United Way and my colleagues here. Families are in an intense bind right now with schools and with the covid. Child care needs to be available, and the city needs help from the state and the federal governments. We're all in this together, and they need to help us. I think we paved the way for showing how -- how



[11:56:44 AM]

that can be done. So let's help our families who are in an intense bind. I also want to say item 85, Juneteenth as a holiday, that's long overdue. Thank you for bringing that. Thank you to the community for helping work on what I know is a complicated measure. We are renaming states -- states -- streets, because of the confederate name -- names that they were named after, the confederate people they were named after. That also was pretty tricky, and we were able to change Jim Hogg Street to William Holland in district 7 as a result of that diligent work. Mayor, if you would note and the city clerk note my vote no on item 73. Thanks.

>> Renteria: Mayor? I'd also like to mention

[11:57:48 AM]

my appreciation to the people in my community. They are changing -- today we're going to change the name of Metz Rec Park to Rudolfo Rudy Mendez. Mr. Metz was a confederate captain in the confederate army, and he was also a member of the school board, and they named that name after Metz, Hamilton Metz, and I'm really just so glad that I was able to get the support of the community to change it. You know, Rudy was born in Austin in 1944. He performed -- worked in New York, Spain. He also served on the peace corps, volunteering in Chile and Costa Rica,

[11:58:48 AM]

toured with national ballet company in performing arts, curriculum program for our youths. In 1978, he returned to Austin and founded the ballet east company to provide a performance for young dancers and developed various outreach to back -- blacks and hispanic community in east Austin. So I'm very proud to -- to be able to name Metz Park after Rudy. He's such a great guy. And Natasha, I really agree with you, with my colleague. There's been a lot of injustice here in this city. You know, in Clarksville, which was a land grant to the African Americans, there was a street -- and I believe it's still there -- confederacy street, right down the middle of their neighborhood, that went to a retirement home for confederate soldiers at the end of that. It's about three blocks

[11:59:52 AM]

long. And where that's

[indiscernible] Correcting all the injustice that has been done to this city. We're working on changing these names and correcting, you know, our history to reflect what they really -- the injustice that really had been done, you know, to our community. And I want to thank you.

>> Mayor Adler: Council member alter, I'm going to have to leave so I'm going to turn the chair to the mayor pro tem, voting ultimately on the consent agenda, and then breaking for lunch, but with a call to executive session. So, council member alter, then mayor pro tem,

[indiscernible] Is yours.

>> Alter: Thank you so much, mayor. First I want to thank council member harper-madison and her staff for their leadership on bringing

[12:00:55 PM]

those several items, I'm proud to co-sponsor one of those and proud to vote in favor of those. I think they offer many long overdue steps forward for our city. I also wanted to comment briefly on 89 and 116, which I'm co-sponsoring under the leadership of mayor Adler and mayor pro tem Garza, and just echo what's been said about the real importance for us to be able to address child care. I was proud that we were able to set up the child care support fund as one mechanism to help these child care centers move through this time. That is not going to be sufficient, and we definitely do need state and federal help. I did not feel like it fell within the confines of 116, so I did not add it, but I'm working with a group called just fund it tx and we are calling

[12:01:55 PM]

for the governor to hold harmless our schools so whatever your enrollment was last year would be the funding that you would get for the year. If anyone is interested in helping to amplify that, please let me know the school funding situation is intimately linked with our ability to provide child care because it's linked to how we can provide safe spaces for kids if we do need to do a lot of virtual schooling. So I'd invite you to engage with me on that. I also want to say that I appreciate the addition that mayor added to 89 about making our spaces available. I've been having several conversations with trustees about the potential for outdoor school, once it gets a little bit cooler, to be a solution for how we get our kids back into a learning environment safely. There's a national movement for outdoor school. Come October, our weather is conducive to being able to do this,

[12:02:57 PM]

but it may require activating city spaces to be able to take advantage of those opportunities in a way that is safe and allows for the learning to take place. So I really appreciate that addition. So thank you.

>> Garza: Council member Flannigan.

>> Flannigan: Thank you, mayor pro tem. A couple of comments on consent, on item 59, I want to be shown voting no from my comments on Tuesday. Also shown no on 73. Also no on item 12. We've got our Q and a response back and while this is a really cool project to Seaholm intake, it's a really cool project, it's using part of the parks bond that wasn't a named project in the contract with the voters, so I think the timing of that deserves a little more exploration, but I'll just be showing no on consent on that item. Items 37, 38, and 39 are

[12:03:59 PM]

buying parkland as a result of fee-in-lieu programs so I'm happy to support these. You know, we talk a lot about do the fee-in-lieu programs result in the fees doing the programs, and here with we are with three items on this agenda where it shows those fee-in-lieu items do the things we want them to do. I'll just -- on item 90, I don't know if it's still in order to put it back on consent if necessary, but I'm supportive of the item. And thank you, council member Ellis, for incorporating my changes into item 90 and I'll just finally -- council member harper-madison, kudos to all your great work that shows up on this agenda this week, possibly the craziest council agenda in recent memory with hundreds, plural, hundreds of items, and yet here you come bringing the fire, getting stuff done for this community in a new and a big way, and I'm so grateful to share this council dais with you.

[12:05:00 PM]

>> Garza: Did anybody else want to pull 90? Because council member Flannigan just -- you wanted to pull it, council member kitchen? No.

>> Kitchen: I just have a comment about it. I don't need to pull it.

>> Garza: Okay. I'm still going to recognize other folks. I'm just wondering, we're going to put 90 back on consent unless anybody has any objection.

>> I just had a couple comments, so --

>> Garza: I know. I'm going to recognize everybody's comments in a second.

>> Okay, thanks.

>> Garza: Next was council member kitchen, and I believe council member Ellis.

>> Kitchen: Okay. I have two comments. First, I want to -- I want to add my thanks to council member harper-madison for the set of resolutions she brought to us today, and I look forward to continuing the

work that we've -- that we've begun with our community members around renaming plantation -- plantation drive, so thank you for

[12:06:01 PM]

mentioning that one. As council member pool said, we -- we kind of dipped our toe in the waters last year, I guess it was, and I was pleased -- or maybe it was year before, we were pleased to be able to rename Robert E Lee to

[indiscernible] Martin after a groundbreaking African American woman in our community. So I'm looking forward to this opportunity related to plantation, seeing what the community brings forward. So for this and the other -- all the other resolutions that you brought, council member harper-madison, I want to thank you and I'm proud to be able to support them. On item number 90, I'm fine with it being back on consent. I would like some clarity and perhaps council member Ellis will speak to this. This has -- this is a request, essentially, for our -- for our staff to bring back to us various information related to

[12:07:01 PM]

active transportation, and so I'm -- if we know, I would just like some clarification on when that is scheduled to come back to us.

>> Council member kitchen. I appreciate that. We are still discussing the exact timeline, knowing the way that our meeting schedules and our budget discussions are taking place, and so that information, as far as I know, has yet to be determined. But I did want to extend my thanks to council members Flannigan and alter for their comments and their amendments that we were able to incorporate into a new version. And we certainly appreciate the work of the co-sponsors that have gone into this. There's a lot of good information in here, and we're really proud of our community activists and our residents that are excited about moving forward with looking at the options for doing a measure like this. I do want to add into my

[12:08:04 PM]

comments that we are aware that since Monday, you know, since this was on the agenda and since Monday, things have progressed with the TRE, with project connect, and so we finalized some documentation on Monday with staff direction. So we wanted the city manager's office to know that we are -- we are aware of that and we understand that the timeline of looking at those options, the TRE and the balance of what that measure would look like, obviously, it would be a heavier

[indiscernible] To do anything within that TRE knowing how this timeline has played out. So we are aware of that and wanted to communicate our understanding of that timeline. And also with the neighborhood partnering programs, this is a good program, it has done wonders for our neighborhood in district 8 in west creek, we were able to do some equity and time and money donations to be able to implement a greenbelt in their neighborhood to help kids get safely to

[12:09:05 PM]

and from school. But there have been issues raised about the equity of which neighborhoods and which residents are able to leverage money and time and labor to do these projects in their own neighborhoods. So we wanted to be sensitive to the fact that there are neighborhoods who may not be able to do that, and they are still very much deserving of active transportation projects. I wanted to know within that information what kind of recommendations to further provide for equity in these projects to make sure that residents in neighborhoods railroad maybe able to provide that time and money aren't being prioritized in lieu of a neighborhood that may not be able to provide for that. So we wanted to certainly appreciate the work that's already gone in of staff, into doing active transportation investments, and the work that's going to be happening moving forward to prepare a response to this resolution. So I hope that kind of clarifies some of the questions and some of the focus as these later amendments have happened.

[12:10:06 PM]

But we're excited to get the return of information so that we can look at our options and see what's best for our community moving forward, and why the community at large might support in November an addition to project connect.

>> Garza: Council member alter?

>> Alter: Thank you. I wanted to thank council member Ellis for bringing forward item 90 and I look forward to the additional information to see what we're able to move forward with. I appreciate you accepting my amendment on the neighborhood partnering program. This is a program that the asmp identifies as one that should be scaled up. It's also one that the equity offices assessment tool highlights as a strength in the public works department. We looked into, before I made the amendment, we looked into what the level of funding is, and it comes up short each year in terms of the amount of funding, in

[12:11:06 PM]

terms of the demand from neighbors, and that also -- additional funding also would allow it to reach more communities in different ways and adapt the program to reach more of the communities. So I think it's a great option. The other thing that I wanted to just add is that I'm really pleased whenever we have park projects that we're able to move forward, and we have several on this agenda. But I do want to note the important addition of some parkland in district 4, which is the most efficient parkland in the city, and just add my support to encourage the parks department to find ways to develop those properties quickly. You know, we have lots of schemes for understanding what parkland deficient, and there is no doubt that these are located in areas that deserve and need park spaces, and so I would just really encourage our staff to

[12:12:06 PM]

look at every avenue to be able to move quickly. I know our practice is sometimes to acquire and take a little while. These are small properties. It would not take a huge investment, and I think we should be moving quickly with those in these neighborhoods of need, now that we have the land to do it on. Thank you.

>> Garza: Does anybody -- council member Casar.

>> Casar: Thanks, mayor pro tem. We already discussed the St. John resolution at work session. I'd like to thank everyone here for your support and to everybody that testified. I think reverend Horton put it best that we can't rewrite history, but we can create a better history moving forward, and I feel very confident that we can do that here, so thank you to everyone. We also have a resolution to urge the U.S. Senate to move forward on the heroes act. We can keep on supporting our front line public employees that have been

[12:13:08 PM]

so heroic during this crisis and make sure people that have lost their jobs don't get cut out. And then also, mayor pro tem, I would want to pull 38 and 39, which are those two parks items in district 4, for us to discuss them in executive session. I do want to better understand, as council member Alter raised questions about, how we can make that public space accessible and safe, but I want to better understand the legal process for getting there, especially as it relates to bond money and the contracts with voters. It seems that the gentleman who called in was reporting something that was going on at that -- at that time. We just pulled that, did find a deceased person on the same block as this agenda item this morning,

[12:14:08 PM]

just after 9:00 A.M. That's horrible and awful, and I just think it's important for us to recognize that if we have something on our agenda and something like that is concurrently happening, I think it's appropriate to pull it, learn some more, and obviously we don't know what it is that has occurred, but I think given that it is just in such close proximity to what has happened, I think it's important for us to pull it and talk some in executive session as well.

>> Garza: Sorry to hear that, council member Casar. So right now, I have -- what I have pulled is 24, 29, 38, 39, 74, and 86, are the pulled items. Not seeing any other hands right now, council member tovo.

>> Tovo: Thank you very much. I too just wanted to add my thanks. You know, we have a lot of really good work

[12:15:08 PM]

represented on this week's agenda, and I'm very appreciative to all of my colleagues, council member Casar, as we discussed for the St. John's redevelopment moving forward. Council member harper-madison, thank you for your leadership on these really important resolutions that are moving forward today. I was very -- really very honored that you asked me to be a part of them, and I want to just address something council member Renteria said. We talked about -- about confederate avenue, this is in my district, and we had begun some of the work, along with council councilmember -- council member harper-madison's office, of renaming that street and one or two others in district 9, prior to covid we reached out to

[indiscernible] Baptist and some other stakeholders near Hancock. So I really am just very supportive of seeing the resolution on today's agenda to continue that community engagement process, but with some

[12:16:09 PM]

additional resources and hopefully a faster timeline. So thank you again for your leadership, council member. I too -- I would like to be seen as abstaining on item -- sorry, sorry, sorry -- 73. Thank you.

>> Garza: City manager cronk?

>> If we're going to leave item 90 on the consent agenda, I just wanted to make sure that we're expressing our expectations in managing those with the council. As you know, this is an unprecedented way of how we would go about bond development program, and so we're going to be working closely with staff and try to deliver as much as we can to you in the coming days, but we'll come back in a few days to set up those expectations so you have a clear idea of what we're able to do. But appreciate the encouragement, and if this is going to pass, then it's going to take a lot of staff work to make sure we can respond to this resolution in such a

[12:17:10 PM]

short time frame.

>> Garza: Thank you, city manager. And if you're taking feedback, I'd be happy to give a little right now on that resolution. I think it's important we view any suggested projects through an equity lens. I know there's a lot of substandard roads in parts of del valle and many parts of the outer parts of our city, so I would hope that any recommendations for specific projects that come back for active transportation have a key eye on equity and east -- and the eastern crescent. Council member kitchen?

>> Kitchen: Yes, thank you. I know this is not in front of us today to dwell on the amount, but I am interested on the information that's been requested with regard to the dollars remaining that have not yet been expended with regard to active transportation, as well as the types of projects and dollars that can be spent over the next number of years.

[12:18:13 PM]

So -- so those pieces of information are important to me in discussing this item.

>> Garza: All right. A lot of great work on this agenda, colleagues. Thank you for all your hard work. It's been moved and seconded, the consent agenda, with the exception of 24, 29, 38, 39, 74, 86. All those in favor, please raise your hand. I think that's everybody with mayor Adler off the dais. And then I'm going to quickly read the executive session script, and then we'll come back -- right after I read that, we'll be resisted. Let me read this first. The city council will go into closed session to take up two items pursuant to section 551.071 of the government code, the city council will discuss legal matters related to item

[12:19:14 PM]

86 and item 98. Is there any objection to going into executive session?

>> Mayor pro tem?

>> Garza: Yes.

>> Excuse me, on the script now that council member Casar wants to go into executive session on items 38 and 39, which I'll ask you with him during the break.

>> Garza: Okay.

>> It'll be legal issues related to the ones you already said, 86 and 98, plus 38 and 39.

>> Garza: Okay. We're also going into executive session on items 38 and 39. Thank you for that reminder. Are you there -- council member Casar?



>> Casar: Is it also possible -- I had a brief conversation with the city manager about this, to also discuss open meeting matters very briefly? We're posted for that for executive session; is that right?

>> We are posted every time, so that would be item number -- item number 100.

>> Garza: Okay. We will also be in executive session on item

[12:20:15 PM]

number 100. All right. Hearing no objections to going into executive session, we will go straight into executive session. We come back at -- is 1:15 okay with everybody? 1:15 --

>> Flannigan: Are we doing a lunch break at the same time?

>> Garza: We are taking a lunch break and then we are coming back after -- at 1:15, we will come into executive session.

>> Flannigan: Great. Thank you.

>> Garza: 115 -- we are not -- someone correct me if there was supposed to be a different plan. My understanding, we are taking a break, we're not going into executive session, we're taking a break until 1:15. When you come back at 1:15, log into your executive session. Okay? All right. We're in recess. Thank you.

[City council is in recess]

[2:45:20 PM]

>> Mayor Adler: All right. It is still July 29th, 2020. The time is 2:45. We are out of closed session. In closed session, we discussed legal matters related to items 38, 39, 86, and 98. We did not end up discussing item 100. That brings us back to the council meeting, and I think there are some things that we can handle pretty -- pretty quickly as we go through this. Item number 24, council member kitchen, is that ready with --

>> Kitchen: I think it is. I think I'm ready to make a motorcycles provided

--I'm ready to make a motion, provided that the staff has the revised scope of work language.

>> Mayor Adler: That's been posted, staff?

[2:46:21 PM]

>> Kitchen: Has that been posted? I was working the Rodney Gonzales on that.

>> Yes, council member, it has been posted to backup.

>> Kitchen: Okay. I can move passage and speak to the changes for folks if you want to do that.

>> Mayor Adler: Council member kitchen moves passage of item 24. Is there a second to item 24? I'll second it. Move forward.

>> Kitchen: Yes. The changes were to the language and scope of work to acknowledge that when and if the council moves forward with creating an economic development corporation, that this -- that might be a route to -- for this consultant and the EdD staff to work through. That was one change. The second change was just a wording change -- some wording changes to align the description of the scope of work with staff's intent for how they intend to move

[2:47:21 PM]

forward. And I should have said this at first for everyone. This is just -- this is a contract with the facilities commission to provide some support to our economic development staff as they proceed with the creative space bond, the 12 million creative space bond that was passed.

>> Mayor Adler: I understand that these changes just make clear that the ideas that are being accepted are brought for people.

>> Kitchen: That's right. And that doesn't change the intent of -- that doesn't change anyone's intent moving forward, just to make sure that the language is clear to that effect.

>> Mayor Adler: Thank you. Any further discussion on this item 24? Let's take a vote. Those in favor, please raise your hands. Those opposed? It's unanimous on the dais. Kathie, I can't see you. I don't know if you're with us. All in favor of this --

[2:48:22 PM]

Kathie, do you vote in favor? All right. It's unanimous on the dais. That gets us --

>> Mayor, sorry, just -- council member harper-madison is not on the dais.

>> Mayor Adler: Okay. Thank you. Council member harper-madison not with with us. Thank you. Let's come back to 29 because that might be a little bit longer. Item 38 and 39 are park purchases in district 4, council member Casar, do you want to move packages of 38 and 39? So moved. Second to that, council member Ellis seconds that. Council member Casar, do you want to speak to it?

>> Casar: I think I will -- yeah, I'll speak to it now, as well as speak to how it relates to the upcoming

[indiscernible]. But we all worked really hard on the parks bonds, along with all the other bonds in 2018. It's part and parcel of

[2:49:22 PM]

all the bonds, was that we would be utilizing them based on equity and need, and, you know, representing the district with the least park space in the city, I've seen how this council and the staff have worked to try to address those issues, but I don't think we've done nearly enough yet. And it was -- park staff said to me sort of how the money has been spent in recent years, and while at first glance it seems okay, it really doesn't make up many of the longstanding historical inequities, and all you have to do is walk up and down Georgian drive where this is located to see just how the city historically has paved over certain parts of the city and not put in open space amenities that exist in other parts. So I think it's important that we're buying these pieces of property.

[2:50:22 PM]

I'm glad to hear from the parks department that those houses will get demolished and that there will be lighting put in. But I think that we have too many of these parks in our -- in our eastern crescent that we buy that we don't program, that we don't put enough -- that we don't put enough equipment in, that we just let sit for too long. I know council member isn't on the dais, but I think of pameloo park in her district, I think of brownie park just north of this one, that just sits as an emt field, and I think we're trying to get some -- maybe some soccer fields on it. So, manager, in approving this and in approving four and a half million dollars in not parks deficient area on the next item, I really would like you to bring back to us this fall whatever -- whatever votes or instruments you need to do the actual level of

[2:51:23 PM]

parkland development at this park and other parks, so they will be used and that we will be proud that we lived up to the contract of the voters focusing on equity and need. It was, you know, disturbing and hard to hear somebody testify to us that they found someone who had died at this location last night. And -- and we have so much work to do in this budget, and as a city, to make sure people are safe, and this part of the city faces more -- find more people dead on the street than any other part of the city. I don't know the instance of what happened to the person who was just found dead, but we got emails well before this morning about concerns about how do we make sure that this area is safer. And I think we can make this area safer if people feel comfortable walking in the street, if people want to come together at a place. A lot of the residents are walled off from this

[2:52:25 PM]

location by the city's historic zoning and planning practices that makes everybody face I-35 and nobody has access into this area. And so what I really would like is in these next couple of months, for you to take a look at how we're spending our parks fund dollars, bring forward votes if we have to reshuffle money to address the equity issue that has been raised, and I think really importantly, to live up to the potential for this to actually be a place people come together and make this neighborhood feel, you know, safe and unified. There's a lot of people that really would enjoy this, but we have to do it right. And I have a lot of heartburn about the next item, four and a half million dollars in a non-parks deficient area, while putting so little money relative to that in the most parks deficient area in our entire city. So I urge the park staff and the manager, can you tell us that's something you can come back to us

[2:53:28 PM]

with, you know, in these final weeks of summer and the fall?

>> Thank you, council member, for raising that I certainly look forward to working with you and the entire council and our parks department in addressing that exact issue because that will be critical as we move forward, to address inequities of our past.

>> Mayor Adler: It's been moved and seconded. Further discussion? Those in favor, please raise your hand. Opposed? It's unanimous on the dais, council member harper-madison off. Those two items pass. Let's move to item 86. This is the tovo ifc. Council member tovo, do you want to make a motion for passage of 86?

>> Tovo: I would. Thank you, mayor. I'll move passage of it, and then I have some comments.

>> Mayor Adler: Okay. It's been moved. Is there a second to that motion? Council member pool seconds. Council member tovo.

[2:54:30 PM]

>> Tovo: Mayor, I know the property owner addressed the council this morning and described some of the history of this issue. We've also received -- we've all received correspondence from the property owner as well. This is an extremely unusual circumstance where the property owner has bought a very small house, I don't know the exact footage, but it's under about 500 square feet, as I recall. It is on a corner lot, and that presents some challenges, it turns out, determining different things related to development. It was -- it was not

[indiscernible] During the purchase by the title insurance company, but there were other issues that they faced. When they went to get a development permit to do a slight renovation and expansion, they received some information that

[2:55:32 PM]

indicated the house was built in 1940; in 1946 there was a subdivision ordinance that went into effect, and I believe it was right around the '40s that it was illegally decided in 1946, in doing so, created more area in the back versus the front. I have more details about it. I think the critical part -- the critical piece of information is that when they submitted a building permit, it was denied because they could not get land status determination due to the roadway frontage being measured on the side of their lot. They were told if they went to the board of adjustment, they could resolve this issue. They went to the board of adjustment, they received approval of the neighborhood association and their nearby neighbors as well. They went to the board of adjustment, a quasi

[2:56:32 PM]

judicial body, approves several variances, including the one that's described in the resolution. It is, however, even though the board of adjustment allowed them a variance that would resolve the issue of roadway frontage, our

[indiscernible] Does not allow a variance to help meet the requirements of the subdivision. And I would rely on our -- I would rely on our legal team and our planning staff to explain that better than I have at the moment. It is my understanding that there are multiple -- there are really three

[indiscernible] I'm aware of to resolve this. One would be changes in our zoning code. That is not likely what is happening here. What is happening here is a very -- a very narrow approach that would -- that would, in essence, say if a board of adjustment grants you a variance, then you have

[2:57:33 PM]

met the requirements with regard to frontage, and you have met the -- roadway frontage. Then you have met the requirements of code for roadway frontage. A third option that is available to

[indiscernible] Of this sort is to go through the planning process, and that's my understanding, that's the

[indiscernible] Process, it's my understanding that is somewhere in the neighborhood of 15,000. And so the intent here -- this is a very -- it is -- it is an ifc that is certainly inspired by an individual case, as some of the resolutions that others of you on the dais have brought forward, which is related to the particular

challenges of a particular property. However, it would apply to others that go into this category. That being said, the universe of properties that would be corner lot that would have trouble meeting the roadway frontage issue, and that would go to board of

[2:58:34 PM]

adjustment, participate and receive variances, are very, very small. So, again, this is a very narrow solution to a small universe of what would only apply if a property met certain criteria and went through the public process of receiving board of adjustment variance. It is by no means changing zoning code, it's not -- it is not changing the lot size requirements or anything along those lines. It is saying the property owner has received board of adjustment variance. Those variances can be used in these very particular cases to meet the requirements of roadway frontage.

>> Mayor Adler: I'm sorry, councilmember Flannigan.

>> Flannigan: Thank you councilmember tovo. This is an unfortunate scenario for the property owner, it stinks for them to

[2:59:34 PM]

be in this situation. Unfortunately, I feel that we are in a very challenging position right now, so not to speak then move, mayor, with your consent I would move to postpone to probably September 17th, which I believe is a council meeting, and if I have a second, I will explain.

>> Mayor Adler: Councilmember Ellis seconds that motion. Mr. Flannigan.

>> Flannigan: I agree there is applicable to the legal situation. A completely realistic matter of disagreement. But I think because it's a reasonable matter of disagreement that I'm just uncomfortable moving forward until our current request for clarification moves through the system. And once we have some clarification, I will feel a lot more comfortable moving forward in this situation.

[3:00:34 PM]

>> Mayor Adler: Further discussion on the motion to postpone? Councilmember kitchen.

>> Kitchen: I appreciate the concern, but I can't support the motion to postpone because I think there's another way to address the concern that the councilmember is raising. The concern, as I understand it, is wanting to understand and make sure we have clarification from the local case. So what's in front of us today is to initiate a process that has to come back to council, so we have another vote. It has to come back to us before we put this into effect. So by the time that comes back to us, we would expect

to have clarification from the court, and even if we don't we could delay that. At this point given what this individual homeowner has gone through and this

[3:01:34 PM]

inspires a way to assist them, I don't see any reason to postpone it at this point. We also have -- we also have -- I understand from our attorneys this is not -- I mean I'm not certain this is indicated as a problem under the lawsuit and I don't think it's something that we have to deal with right now. I think we should initiate the process and later if we find out there's a problem. I don't see any reason to postpone it and I don't want to do that to the individuals involved in this case.

>> Mayor Adler: Councilmember tovo.

>> Tovo: Thank you, mayor. Councilmember Flannigan, I appreciate your willingness to consider thinking about this. I would just say in this case that is tantamount to just denying -- just turning it down because the reality

[3:02:35 PM]

is, and apologies from the resolution wasn't crystal clear on this point, the variances will expire in August when the mayor's order expires which is currently [inaudible]. If we don't take action today to at least initiate it, it's my understand the variances will expire. So I would just suggest that we do move forward and see whether there is support on the dais to [indiscernible]. As councilmember kitchen indicated, we're initiating this change to keep it moving, to afford ourselves and the property owner the opportunity to consider within the time period that's meaningful, it would really have to be today.

>> Mayor Adler: Further discussion? Councilmember Casar.

>> Casar: Mayor, I don't know if the public knows exactly what we might be talking about because I

[3:03:36 PM]

don't know if we've talked about the motion for clarification publicly, but sellerly we currently have this judicial ruling saying we cannot move forward the way we were moving forward with land development code rewrites. But the way the ruling -- if city legal thinks I said anything wrong, please interrupt. In reading the ruling, one could interpret it not only is the whole code subject, but piecemeal attempts to do code amendments could also be subject to it. And so we -- I and I think everybody here doesn't think that that could be what the ruling meant because that's not what we were arguing about and so we

submitted motion as the city saying but we should be able to do these piecemeal changes to our rules to -- as necessary, and then my understanding is the

[3:04:36 PM]

plaintiffs have filed something in court saying that in fact those piecemeal changes to the land development code should not be allowed unless all of the -- all of the steps like notice of rights to everybody within that area applies. So -- so the question in my mind is is this a piecemeal fix that falls under that ruling, and I don't know the answer to that. I appreciate -- I think the way councilmember Flannigan framed it this may be that piecemeal sort of thing. My understanding is the new land development code had been resolved

[indiscernible]. And so on these I feel a lot for the property owner and wish we could have fixed it in the past or could easily fix it. I'm just -- at some point we're going to be faced with

[3:05:36 PM]

lots of these piecemeal options, and right now I would want the judge to clarify that she or that the court is not opposed to us doing piecemeal changes.

>> Mayor?

>> Mayor Adler: Hang on one second. Do you know when the orders expire?

>> Your order expires on the 30th of -- August 15th.

>> Mayor Adler: August 15th. Thank you. And then the development entitlements go for what, 30 days after that?

>> It expires on September the 15th.

>> Mayor Adler: Thank you. Discussion? Councilmember tovo.

>> Tovo: Just to

[3:06:40 PM]

[inaudible] I would just indicate it's my understanding and I'll ask our law department to verify this if they feel comfortable doing so, but again, it's a change of an entirely different sort because we are not amending the zoning code. And so we have a disagreement among our council obviously about petition rights and when these are applicable. We also have a disagreement among some of us on council about



whether it was necessary to seek clarification [inaudible]. I would just again emphasize those are zoning changes. This is not a zoning change. So the conversation we're now having about whether this falls -- is one I would ask again if our attorneys feel comfortable doing so just to affirm that is not what we're doing. We would be making a change to the subdivision code that is contingent on board of adjustment variance and interpretation.

[3:07:41 PM]

>> Councilmember, our order is you could move forward on this item in front of you today.

>> Mayor Adler: Councilmember kitchen.

>> Kitchen: Thank you, councilmember tovo. She asked the question I was going to ask and so I trust our legal counsel on this that we can move forward with it, and so as I said before, I don't see a reason to delay. I appreciate and understand the concerns that have been raised and agree they need clarification which we are in the process of doing, but I don't think this particular homeowner should be subject to the differences that we all have about the land development code, and I trust our -- I trust our -- our legal and differentiating on what things they think need to be taken back to court which is what we have done. So I would like to proceed and so I can't support the postponement.

>> Mayor Adler: Mayor pro tem.

[3:08:45 PM]

>> Garza: I think people looking from the outside have a lot of questions about the conversation that's happening because if I'm just looking at this case, it is like one of the examples of how our code is broken in so many ways and it's an example of why we have to fix it. And I -- I totally understand the broader concerns about what whoever's ruling meant, but I have said if there's any part of me that leans conservative, it's property rights. And -- but a homeowner just wanting to make very simple and has to go through this process is absolutely ridiculous, but I have to also point out the inequities of it in that not every homeowner has the

[3:09:46 PM]

ability, if they were to face even the first

[inaudible] In this case, they would have just not done what they wanted to do or they would have sold and moved away. But looking at the facts here, I -- I don't see why we would postpone, and then I don't know where the votes are going to lay out because it may be 5-5 vote on the postponement and if that -

- I just feel for this person even though I recognize inequities of the process and a broken code and the issue before me, I can't support a postponement. It doesn't feel right.

>> Mayor?

>> Mayor Adler: Yes, councilmember pool.

>> Pool: I can't support postponement either and I think we have a simple solution to this situation so let's proceed.

[3:10:50 PM]

>> Mayor Adler: Colleagues? Councilmember Renteria?

>> Renteria: Yes, I'm not going to support postponing. I feel for this family here that's trying to do the secondary unit. And I know that the code, it's broken. I -- they told me I had to go to a board of adjustment to do a balcony that I found out later on it was legal to do it, but they -- the code inspector said we're going to fight you and the board of adjustment so I didn't do it and stuck with a secondary unit I'm not very happy about the design because I had to turn the house 90° and so it ended up costing me a lot for that. And I don't want this to

[3:11:52 PM]

happen -- that's the only reason. You know, our system is broken, people. And we need to fix this code. People are going out there saying all kinds of -- passing out all kinds of misinformation, but this is exactly what we've been going through since I got on the council where they had to go and get a variance or where they have to get permission to build a secondary unit because it's zoned single-family 2 and you can only have a servant's house on your lot no matter how big it is. There is a lot of injustice we're trying to correct and we've got groups giving out all kinds of misinformation about it. And now we're taken to court. I was very afraid to support this because I was afraid that those people that were doing this, you know, were going to take us to court.

[3:12:53 PM]

And with the judge already voted against us and said no, we can't do any spot zoning, then, you know, especially the kind of problems we're facing and we spent hours just discussing these little items, it would have been passed administratively. So we need to really fix our broken system.

>> Mayor Adler: Colleagues? >>As I look at this it's parent the votes are not here to postpone this. I am concerned about trying to do the things that fix the code in a piecemeal kind of manner and I'm not sure

how you -- I understand it's in a different section of the code and if that's what the rule is that we are allowed to do things could have had by zoning so long as they are in a different part of the code, then it would be good to know that's what the rule is.

[3:13:53 PM]

I don't know what the rule is. So I hope that -- that the court will clarify so that we understand what's going as we move forward, not allowed to move forward and I hope the court articulates that. So if this moves -- because I think we need the clarification. Councilmember Casar.

>> Casar: Mayor, I think this one is more gray in that I think as comb councilmember tovo mentioned this doesn't require more drainage or less drainage or have more heights or more units, and so it's in that gray area which is why I would postpone it as opposed to vote against it. I recognize that this one is much more gray than if we were amending the transportation section or

[3:14:54 PM]

affordable housing or somewhere where you start talking about the size and number of buildings. So this one, you know, if we can't postpone this one, it does seem less risky than the others.

>> Mayor Adler: Councilmember Ellis.

>> Ellis: I'm having a hard time telling if we'll still vote on the postponement first, but this is a very tricky case and I certainly [indiscernible] Trying to establish their home and realizing how broken our code is. But there's a lot that's broken in this 1984 code and a lot of things a lot of us want to fix. So I will likely abstaining on the final vote if it's not a postponement. It's not because I don't support this couple, but this code is very broken and there's a lot more in this that needs to be fixed.

>> Mayor Adler: Let's go ahead and take the vote and move forward. We have a motion to postpone. Those in favor please raise

[3:15:56 PM]

your hand. It is four, Flannigan, page, Ellis and me. Those opposed to expecting? The balance of the dais with councilmember harper-madison off. The manages to postpone does not pass. That gets us back to the main motion from councilmember tovo. It's been moved and seconded. Any further discussion on councilmember tovo's motion? Let's take a vote. Those in favor of councilmember tovo's motion please raise your hand. It's councilmember -- those opposed please raise your hand. Councilmember Flannigan no, Ellis abstains, the others aye. The motion passes, so the ordinance will be initiated. Just for the

record, councilmember tovo, I still have the concerns and I hope that the court clarifies before this gets back to us. Okay, so that's that.

>> Councilmember harper-madison is off the

[3:16:57 PM]

dais.

>> Mayor Adler: Thank you. That gets -- we've taken care of item 86. We have an item from audit and finance committee, item number 97. We're going to do the once we can handle quickly. Audit and finance committee, councilmember alter, do you want to make that motion?

>> Alter: I move item 97.

>> Mayor Adler: Is there a second in councilmember pool seconds that. Because it's an item from council, you want to take just a second and it would be just a second, but explain it.

>> Alter: Sure. I don't have my notes, but it is by law changes we passed back in April that are correcting scope of work for the landmark commission.

>> Mayor Adler: It been moved and seconded.

>> Alter: Mostly cleanup.

>> Mayor Adler: Discussion in those in favor?

[3:17:58 PM]

Opposed? Unanimous on the dais can councilmember harper-madison off. That gets us to item 98. , If is there a motion with respect to item 98? Is there a motion to the effect the city council authorizes use of eminent domain to acquire the property set forth and described in the agenda for the current meeting for the public uses described therein? Does someone want to make that motion and clarify?  
Councilmember alter makes that motion.

>> Alter: I will make that motion and I would like to provide direction to the city manager to explore alternate sources of funding beyond parks bonds and to provide an update if he finds other source available.

>> Mayor Adler: That motion has been made. Councilmember Flannigan seconds that. Any discussion on this item? Yes, mayor pro tem.

>> Garza: Yeah, I want to

[3:19:00 PM]

thank all the callers for calling in and expressing the desire to preserve this for parkland. It is important all throughout our city I think for some of us we want to make sure areas deficient in parkland also receive funding that was approved in that bond and I'm -- I'm glad to support this with the understanding we will look to see what other buckets can be used because there are other parts of town that have inequities that don't always have people that can call it. And we need beautiful spaces like this throughout our city. It's not just about anybody can come to a certain part of town, it's the accessibility for people who may not have a vehicle to be able to enjoy open space and parkland. So just wanted to add those comments.

>> Mayor Adler: Sounds good. Would the clerk please

[3:20:01 PM]

recognize we have two seconds, councilmember pool also seconds. Continuing discussion? Let's take a vote. Those in favor of item 98? Those opposed? Unanimous on the dais with councilmember harper-madison off. Thank you. That gets us then to Austin housing finance corporation. Is staff here for that?

>> They are, just give it one second.

>> Mayor Adler: I know kind of abrupt change.

>> Mayor, council, this is Austin housing finance corporation.

>> Mayor Adler: Mandy, hang on one second. I just wanted to make sure you were here. I'm going on the recess the Austin city council meeting. It is 3:20. I'm going to convene Austin

[3:21:02 PM]

housing finance corporation meeting. Today is July 29, 2020. The time is 3:20. This is a meeting that's being held virtually. A quorum of the council is present. And somebody needs to mute their [inaudible]. A lot of background noise. We have a quorum present. Do you want to take us through the consent agenda, Mandy?

>> We have five items on the consent agenda. The first is approving the meeting minutes from the June 11 board meeting. The second item is approving

[3:22:04 PM]

a resolution

[indiscernible]. Item number 3 is a resolution authorizing the amendment -- an amendment, administrative amendment

[indiscernible]

>> Mayor Adler: If you can stay close [inaudible].

>> Sure thing. Item number 4 is approving the negotiation and execution of a loan agreement between Austin housing finance corporation and ahfc for [indiscernible] Dollars for the villas on sixth project located in 3. And then item number 5 is a resolution authorizing

[inaudible] Partnership to

[3:23:05 PM]

be formed [inaudible]. I'm happy to answer any questions on these items.

>> Mayor Adler: Is there a motion to approve the consent agenda? Mayor pro tem makes that motion, seconded by any discussion on the consent agenda? Those in favor please raise your hand. Those opposed? It's unanimous on the dais with director harper-madison off. I think that takes care of all of our business with Austin housing finance corporation meeting. And with that then the meeting is adjourned here at 3:23.

I am now reconvening the Austin city council meeting on July 29, 2020. It is 3:23 and we will continue in the Austin city council meeting. Colleagues, I have us with three more things to handle.

[3:24:08 PM]

There's the Austin fire department budget issue pulled by councilmember alter. There's the overpass cleanup operation pulled by councilmember Casar. And then -- I think those are the only two items we have left. Let's begin with the first pulled item. Councilmember alter, you pulled item number 29.

>> Alter: Item 29 is authorizing midyear, end of year budget amendment to the Austin fire department operating budget to address overtime costs for personnel expenditures. I've been concerned about overtime costs in afg and how they are managed for quite some time since just about when I started on council. I have expressed in other forms my frustration about how this particular overtime challenge has been handled

[3:25:09 PM]

and communicated with council. I've spoken at length with the city manager and with AFD leadership and I don't want to belabor that here because I think they understand my concerns. I have been through some of the numbers and I think estimating how much we need for getting us through this budget year is more art than science, so I would like to add some direction. I'm not prepared to make the motion because I'm going to vote no, but I would like this direction included. And the direction is these funds should be used only for purpose of adjusting the gap in personnel costs. The fire department may not spend any of the additional funds on non-personnel costs and I don't know, city manager, if you would like to comment on that direction if you are comfortable with that.

>> Sure, councilmember.

[3:26:12 PM]

I'll see if [inaudible] Has anything else to add. That was the purpose of the amendment so I don't see any issues at this point.

>> Alter: And the reason we need that direction is that if the overtime costs fall more on the side of art and you don't end up spending that much, the way the process would work, they would be free to spend that money down at the end of the fiscal year and that is really money that is meant to address the overtime need and we can have a conversation about why they have the overtime if we want, but that is what this money is intended to address and it's something we would have to fund regardless of whether we do this budget amendment at this point in time. I'm going to be voting no. Largely because this is the only mechanism I have to signal once again to city management that we have a problem with how we handle and manage overtime and staffing in the fire department, and there's more that I would like to see to

[3:27:13 PM]

be done. This is, I think, the second time that we have had to do a mid-year budget amendment since I've been on council and this is my fourth year on council. And that is a signal of a problem and it's still not being addressed. I look forward to working with AFD and the city staff as we move forward, and I would also in addition to the direction I said, I would like to make the request that staff review with me once we have the final numbers how it was calculated for the overtime so that we can understand where we landed in the process and how that met up. There are some reasons this is art because of covid, which I understand and there's different timing when people are taking vacations, there's different things that happen in the fourth quarter that have to be factored in at this

[3:28:13 PM]

point, but I want to make it very clear with how we proceed that we have more work to do here to make sure that we are spending our public safety dollars wisely.

>> Mayor Adler: Sorry. People keep turning off my speaker for me. My mic. Is there a motion to approve this item number 29? We need a motion to approve. Mayor pro tem makes the motion, seconded by councilmember pool. Discussion on the item? Mayor pro tem, do you want to discuss it? First chance.

>> Garza: No. I understand there was an

[3:29:13 PM]

accounting error of some sort and the city manager said he has put up guardrails to avoid that being done again, and if our firefighters are having to work overtime and stay properly staffed especially in this time of great need for our public safety, it's the right thing to do.

>> Mayor Adler: It's been moved and seconded. Further discussion? Councilmember Flannigan.

>> Flannigan: First I want to know if I can get the button to mute you, mayor. That would be great. On this item I concur with councilmember alter, I'm going to vote no, but obviously it's not about supporting firefighters especially in this time. This is more about the budgeting process and errors that seem to be problematic on a continuous way. We're spending most on policing, but the fire department is also in the committee's purview and we will get to that in short order. Thank you, councilmember alter, for your hard work on this item too.

>> Mayor Adler: It's been moved and seconded.

[3:30:14 PM]

Further discussion? Those in favor of this item please raise your hand. Those opposed? With councilmembers alter and Flannigan voting no, the other voting aye, harper-madison off the dais, that item passes. Then that gets us to the final item we have --

>> Sorry, mayor, I think councilmember tovo was off the dais as well.

-- Dais as well.

>> Mayor Adler: Thank you for that. Councilmember tovo also off the dais. So that passes 7-2-2 -- no -- yes. Last item, item 74, pulled by councilmember Casar. Is there a motion? Councilmember kitchen moves passage of item number 74.

>> Kitchen: I want to move passage. I understand there's some clarifications and perhaps some changes we want to make, but I'll get it on the table.

>> Mayor Adler: Thank you. Is there a second to item



[3:31:15 PM]

74? Councilmember alter seconds. Discussion? Councilmember Casar.

>> Casar: We had some testimony from folks and then I've had private conversations with service providers and medics and people that -- that care for and work with folks that are unhoused. And it seems like there are some parts of the work we are doing to clean up the litter and trash that work and then there's some parts that are causing continued tension and straining relationships that really need to work for us to get to the long-term solution of housing people, which is where we all -- where everyone agrees we need to go. And so I'm glad that in this contract the staff has worked hard on a set of protections to make sure year not throwing away people's medicines, we've seen that video of people's water getting thrown away which is not what we want to

[3:32:16 PM]

see happen, so I'm glad those protections seem to be getting further baked into this contract, but I think that putting so much money into this particular contract for three careers and not setting aside some more dollars that could go towards programs and litter cleanup and abatement that is is sometime picking up bulky items, still getting to cleanup goals, but is more cooperative that works with people in a more participatory way and avoids those levels of tensions is where I would like to see us get to. So my -  
- I'll make a formal amendment in a minute, but I wanted to kind of explain it first, to have this be a one-year contract as opposed to three, and then for us to do -- to reduce this contract by 250,000 a year, instead have the staff still

[3:33:17 PM]

utilize that \$250,000 for -- for cleaning up litter around homeless encampments, but for that to be managed by the staff for a different kind of contractor doing the work in-house in a way that is more cooperative that brings service providers more on board and hopefully pilot studies show we can do this in a different way. So it would not be reducing the budget in the least for trash pickup, but instead would say let's use this money -- let's have the ratio of these programs be different.

>> Mayor Adler: Further discussion? Councilmember kitchen.

>> Kitchen: Yes. I think that that approach works as long as we are -- and I understand we are still talking about the functions that are necessary

[3:34:17 PM]

to [indiscernible] Neighbors keep their areas clean and safe and healthy. So my understanding is that what councilmember Casar is proposing will still work for that. I do want to be -- provide a little more clarity on the specific protections that are in place on how these are carried out. When I say protections, just what the procedure is. And so I want to bring our staff up if they are available. I understand we're going to be getting a memo that is a written policies and procedures that outlines these kinds of things, and so I would like to ask staff to speak to us about them and then things like engage in social service, notices in English and Spanish, what kind of notice is provided, reporting back to us on a regular basis, and, you

[3:35:21 PM]

know, and spanning, as councilmember Casar is proposing the

[indiscernible] Program. Could I ask staff to speak to that?

>> We have both directors snipes and Mendoza on the line and will take a second to get them on the screen.

>> Kitchen: I don't want these specificities to be in the written policies and procedures so that we can -- and I know we haven't received them yet, so ...

>> Hello, councilmembers. This is Richard Mendoza.

>> Mayor Adler: Go ahead.

>> Yes, thank you for allowing me to address this

[3:36:23 PM]

council item today. And just a quick overview for those listeners, this contract is to provide cleanup services once per month at approximately 60 underpass locations throughout the city along I-35 and 71, 290, mopac, and 183. These are where our city streets cross under these elevated highways. And while this work is credit tall to our ability to inspect, maintain and repair this critical bridge infrastructure, we understand that we do have room to improve based on what we -- what we've heard today in terms of how we conduct this work while still ensuring we respect the vulnerable populations that may reside at these locations as they are personal effects. Throughout the day I have been in conversation with my staff as well as our partnering departments, Austin resource recovery, on what some of those improvements can entail to

[3:37:23 PM]

ensure that we are respecting the integrity of these vulnerable populations. So I would like to propose along the lines that councilmember kitchen has already posed are some of those improvements would include, of course, first increased sensitivity training to all personnel that are involved in this cleanup activity, both with the contract cleanups as well as the violet bag program. Effect some increased visits by our social service providers, namely integral care and the host teams to have them visit these locations both prior and post-cleanups. Have all notices at least 72 hours before we are to conduct this work posted in bilingual, both in englishing and Spanish. And additionally any information on where we can direct these individuals to critical care services, provide that information as well and leave up no less than ten days after completion of our work in

[3:38:25 PM]

both languages. Also going forward, both director snipes and I both agree a more effect you'll way to do this work would be the transition this work away from this contract bulky item and into a more self-operating violet bag program. And as we work to transition this activity in that mode, come back to report on that progress on no less than a quarterly basis to the health and human services department. And then finally I think it's entirely appropriate to have this contract only for one year and then we'll come back annually to city council, report on our progress on this activity on how we are transitioning this work away from the large bulky pickup and more into self-operating violet bag pickup. So I definitely share concerns of the community

[3:39:26 PM]

and council around this. This has been very helpful dialogue for myself and my team and we look forward to moving forward with some of these improvements and ensuring that we are protecting the humanity of this population as we are able to move them to more appropriate, sustainable sheltering. So thank you, council.

>> Mayor Adler: Councilmember alter.

>> Alter: I read your lips but am not hearing you. Councilmember Casar, I appreciate you raising these issues and I agree with the sentiment you've expressed, councilmember kitchen and director Mendoza that we have work to do to transition this to be more self-sustaining and more focused. I am fine with the one year, but I do want to get a little more information

[3:40:26 PM]

about what the reduction means and whether there are any other options to fund the violet bag part out of other parts of the budget. So Mr. Mendoza, could you speak to the implications of reducing the amount in the negotiated contract, you know, for the type of services that will be able to be rendered and Mr. There is funding available for increasing the violet bag program and some other mechanism?

>> Certainly, councilmember. In terms of the first year, we would require the full 575,000 to continue this debris management and cleanup at these locations. I would see [indiscernible] Through the year that work demand reducing as I work together with Austin resource recovery to increase the violet bag component at these locations. But at present time, the nature of the debris that

[3:41:26 PM]

we're collecting and it's on the order of 10 to 20 tons per month are materials that are not conducive for collecting in these violet bags. You know, my commitment is that we will monitor this closely and if we can transition away from the large bulk item pickup, and I'll work with Austin resource recovery as well to see there are alternate collection modes that we can apply rather than having contractors as we go forward.

>> Alter: Thank you. I don't know -- so there is other funding? Help me understand why the 575 is required for the first year?

>> Is required to provide the once a month

[3:42:26 PM]

locations -- the once a month service at 60 locations for

[indiscernible] Months and that is for the removal, transportation and then disposal at the landfill site by this contract. And that's the maximum amount that we feel we need. Spend the whole amount if we start to see reduction in the amount of debris. That funding comes from three department sources right now. It's the department of public works, Austin transportation department, and those are funded by the transportation user fee because this is maintenance in the right-of-way, and then also Austin resource recovery fee, which is managed by director snipes and funded through the Austin resource recovery fees.

>> Mayor Adler: Sorry.

[3:43:29 PM]

Councilmember Renteria.

>> Casar: I want to be clear what I'm suggesting is not moving this bulky item money to small -- to smaller debris money that would go -- fit in a violet bag. I'm suggesting that we take -- that we still go to all of those locations and that we still pick up the same amount of litter, but that we not put it all in this contract where we have had -- where people have testified and stated publicly and privately there have been challenges, but instead take some of that money to go to some of those locations either in-house or with a nonprofit or somebody else to try to pilot and show can we start to transition this in-house or do this in a different way. So I'm not suggesting we go to any other locations or pick up a single pound less of litter, but I think we're all in agreement that we're trying to shift the approach and what I'm suggesting is -- I think we're all

[3:44:29 PM]

trying to shift in the same direction. What I'm suggesting is we take some of this money and use it either in-house or with someone else as we try to make that change. That we basically pilot that money to really have a fresh start at some of these locations.

>> Thank you, councilmember. And yes, that transition from that operational mode would engage more of Austin resource recovery, and I think director snipes is in the waiting room and he would be better able to share with council and mayor what that budgetary impact would look like.

>> Mayor Adler: What I'm unclear, councilmember Casar, if it costs 575 to move the big bulk stuff, do

[3:45:30 PM]

we -- I'm trying to figure out if we're not decreasing service, decreasing locations, how do we take money out of that and not decrease locations or those services for the

[indiscernible]

>> Casar: Not for this contractor. I understand we're putting in these protections and rules to try to change the way it's working with this contractor, but my understanding is we are trying to phase automaker out -- bring it in-house and the stated goal is to try to do this differently. So I think that not going in with the full 575 but instead accelerating the process of either doing this in-house or with someone else makes good sense. Without voting down this contract entirely saying some of that -- let's spend some of the money in a -- in this new way that's being described.

>> Mayor Adler: In essence you are saying keep the contract at 575 for year

[3:46:31 PM]

one.

>> Casar: No, I'm saying bring the contract on the 575 down by 250 and use that 250 to do pickups either in-house or with a nonprofit group or with another contractor where we go in from the start with the sors of principles and strategies staff have been working on given the feedback. Rather than putting all of our chips in the basket of saying we're going to renew this contract with the full amount and we're going to try our best to have it change. Does that make sense?

>> Mayor Adler: I hear what you are saying. I would like to hear Mr. Snipes and Mr. Mendoza talk about the impact of reducing the contract amount in the first year. Even while we're doing all the other stuff. Mr. Snipes.

>> Good afternoon, this is director snipes from Austin resource recovery. In the first year would be problematic. As you know, you are working

[3:47:32 PM]

really hard to get caught up on all the trash that has accumulated due to the stand-down from the cleanup activities. So we're catching up to that right now. I think it's important also to call out that arr is in the process of expanding its resources for litter abatement around homeless encampments. We anticipate in the future that we'll have the ability to take on some of those duties and shift some of those resources, but that's still building. We haven't yet hired the staff or acquired the equipment necessary to support that activity.

>> Renteria: Mayor? I'm supposed to be next. I can't hear you.

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

>> Renteria: That's my big concern, you know. I've been driving by those sites and this has accumulated a lot of trash, a lot of bulk trash.

[3:48:33 PM]

We had pickup in the neighborhood and they canceled it this time around. And, you know, it's getting really seriously and I'm really scared if we take that money out and not go through it for the first year and maybe come up with a plan and let the resource recovery come up with a plan on how to convert that money back to the city, you know, we're not -- we don't have the capacity. I don't feel like we have the capacity to go around, mayor, in-house right now and pick up all that bulk that's out there. Really cumulative. I couldn't support doing that. I support funding the whole amount for the first year.

>> Mayor Adler: Councilmember kitchen.

>> Kitchen: My question for director snipes is what would it take to help accelerate the program?

[3:49:34 PM]

I think we're -- I think we're talking -- I think we're talking about wanting to do the same thing, which is to move towards a different approach, but we don't want to do that so fast that we infect are not able to pick up at the same locations in the same volume, which I think we're all saying that. So what are you suggesting it would take or do you have a suggestion on what it would take or do you need to bring that back to us? So, for example, if we were to reduce this one by some number less than 250, or if we were to keep this the same and add some additional dollars for the violet bag program or I'm not sure if that's even the right program that we're talking about because violet bag doesn't do bulk. But doing bulk in-house might be a better way to say it. What does it take from your perspective to accelerate

[3:50:35 PM]

that shift?

>> I think it would be good for us to use the remaining portion of the year to evaluate what it would take to actually get in and remove those resources. We would be doing that work on top of the work that we already do, so we would have to study and evaluate that to get a better understanding. I do know for a fact once we bring on our crew that we're standing up, we'll have the ability and have boots on the ground that can make some of those evaluations for us.

>> Mayor Adler: Colleagues

[indiscernible] Which is the one that's in the record. Councilmember Casar, what's the best -- I have a concern about doing anything that inhibits our ability to clean up these sites, recognizing that we need a culture shift with respect to this and my understanding

[3:51:36 PM]

is this vendor is different than the one -- it's a different vendor than the one that's been holding this contract. Is that correct? This is a new vendor?

>> Mayor, this is the prior subcontractor to the original vendor work quest. Work quest body out due to covid. This is the sub that has been conducting this work since spring of 2018. So it's actually the same vendor.

>> Mayor Adler: Okay. Thanks. And the only vendor to apply, I guess. So I'm trying to figure out how we do this without having interrupted service or ability to do this recognizing that it needs to be handled differently.

>> Casar: Mayor, I offered starting the transition

[3:52:38 PM]

in-house or to a nonprofit group or as another option because I didn't want to say let's move all 575 all at once. That was part of why I offered the smaller amount because I thought that could work. But if Austin recovery needs all 575, I would

[indiscernible].

>> Mayor Adler: Councilmember kitchen. You are muted.

>> Kitchen: Councilmember Casar, you cut out. I didn't hear what you said.

>> Casar: If the issue is that transitioning some amount but not all of it to Austin resource recovery gets us -- puts us in limbo, I would be interested if they had all \$600,000 available if that would make a difference to them to be able to handle this more in-house.

>> Kitchen: I would like to hear what they have to say, but I would expect

[indiscernible] Because they are not set up to do it today and I can't see -- I

[3:53:41 PM]

don't think we want to delay in any way the cleanups because of the health issues that have been raised with the cleanups. So it seems to me like we may need to find some additional resources to help director snipes accelerate their program instead of pulling it away from this contract. Sound to me like keeping this contract at one year but then making sure that director snipes has the resources that he needs, and director, I would really like you to speed up as much as possible this work, you know, and so I'm trying to understand what you would need to do that. And councilmember Casar, I understand what you are saying, I just don't want us to inadvertently because nobody wants to do this, I don't think, end up where we were when we had to stop the cleanups due to covid,

[3:54:41 PM]

because that really raised a lot of concerns for our unhoused neighbors and for everyone, you know, from a health standpoint. So I don't know -- city manager, I don't know if you can work with director



snipes to bring us back something. We are in our budget time. If there are some additional resources that director snipes needs or if there is some way to move things around, perhaps we can have that conversation as part of the budget. Because I think I'm in agreement with councilmember Casar that it's important to accelerate transition in our approach, but at the same time I really just cannot risk our ability to provide these services right now.

>> Mayor Adler: Yes, Mr. Money doze is a.

[3:55:42 PM]

>> Thank you, mayor. I do want to make mention that this contract is a not to exceed contract, so the maximum 575. And so director snipes and I definitely can work on transitioning this over throughout the year so that portions of this authorization or this funding could then be applied to that in-house

>> Mayor Adler: Yes, Mr. Snipes.

>> Councilmembers, if I could, we would need to study that body, it's a large body of work and to bring that in-house would be quite a lift. We'll start working on that immediately to get an understanding of just what that body of work looks like in terms of staffing and equipment and management of that to have a really good look at it. And so we want to use the balance of the time to kind of figure that out. I think that would be -- give us time to do a fair

[3:56:45 PM]

assessment.

>> Kitchen: Could --

>> Mayor Adler: Councilmember kitchen.

>> Kitchen: Well, I would also suggest, I kind of said this earlier, but I'm not sure if I fleshed it out. Regardless of how we proceed, I think it would be really important that we have -- that we have at least a quarterly report and maybe more often, every -- you know, we're trying to move towards at least a monthly report on what's happening with regard to carrying out our strategies to help people get housed. And so, you know, having a reporting process that includes this would probably help us understand how this transitioning is working.

>> Mayor Adler: Okay.

[3:57:45 PM]

[Indiscernible] Was in the document? Councilmember Casar, does it work to take it from three Mcqueary contract down to one -- three-year contract down to one and ask staff to come back to us to show how they are transitioning to the alternate in-house or otherwise providers?

>> Casar: I think that without either some guarantee we're going to transition it this year or without taking some chunk of that money and starting to pilot something new, I don't think that gets to where I'm trying to do. Without having heard very much support from others, I'll just vote no if that's -- if what we're going to do is try and we might but we might not be able to figure it out this year. If we could if we could say we're going to be done by the end of the year, a goal of transition by the end of the year, I could

[3:58:46 PM]

support that, as Mr. Mendoza said, but if we don't know if that can happen by the end of the year, that's what I was trying to resolve.

>> Mayor Adler: [Indiscernible] What's your expectation for transition?

>> Well, a lot of it's going to depend on the environment as we move through this year. The bulk of demand of this type of activity is really a symptom of a larger issue, right, around the homelessness. We can control and we can address our contractors as needed in terms of what our expected behavior and covid conduct is as they do this work, and we can definitely make inroads on -- at the soonest opportunity, collecting the waste in a different mode within house, as that waste stream starts to adjust throughout the year. But at this point, without speaking with

[3:59:47 PM]

director snipes even further, in terms of where we'll be a year from now on the ratio of bulk -- large items compared to litter, it would be hard to

anticipate. >> Mayor Adler: Mr. Snipe S?

>> I agree with that. I think, you know, for this conversation, you know, what we were anticipating the topic being was what is our approach as we engage with the homeless community? Can we do that differently -- are we able to do that with a sense of dignity and respect in every engagement and every opportunity as the contractors do their work. I wasn't expecting the conversation to be about moving that body of work into our department. So that's a completely different question, and it would require a little bit of time to kind of do a little bit of research and kind of figure that out.

>> Mayor Adler: Council member kitchen.

>> Kitchen: So, director snipes, yes, I would -- I do want -- we've said this off and on through

[4:00:47 PM]

the conversation, but I do -- I am asking for a commitment in writing, in written policies and procedures, to the kinds of things that we talked about that ensure -- ensure the behavior that we're all talking about, and that includes -- I mean, I'll just list a couple of things, coordinating with integral care host teams and other source service providers to visit each location, before and after the day of services; service notices to be provided in both English and Spanish. At the time of posting the service notice, post information about social services and contact information provided by aph, again, both in English and Spanish; quarterly report to the status of services, and, you know, the other kinds of things. And there are aspects that need to be in the written policies and procedures which I think I've heard you all commit

[4:01:50 PM]

to, and that has to do with the protection of personal property and things related to that. So am I correct in understanding that those written policies and procedures will reflect those kinds of protections?

>> That is correct. And you should have those shortly.

>> Kitchen: Okay.

>> Mayor Adler: So I'll make the motion that this be amended to be a one-year contract and that staff, Mr. Snipes and Mr. Mendoza, come back to us in three months and tell us what the trajectory looks like for the balance of the year in terms of where we are with respect to the processes and procedures and how we can transition this to greater use of the folks themselves that are out there to the degree that that can happen. But hold the budget

[4:02:51 PM]

amount -- amount, not to exceed that amount, recognizing in three months there may be allocation of those funds, based on the report that we did. Is there a second to that amendment? Council member alter seconds the amendment. Discussion on the amendment? Council member kitchen.

>> Kitchen: I believe that gets us where we need to be. Because we've allocated the money we need to allocate. We've allowed for the fact -- I mean we have set aside the money we need to set aside. Relieve allowed -- on a not to exceed contract, we've allowed the ability to reallocate three months based on information if that's appropriate at that time, and we've asked our departments to develop that plan for

us to transition and to report back to us. So, mayor, I think that that -- I think that that gets us where we need to be.

[4:03:51 PM]

>> Mayor Adler: City manager, are you okay with that resolution?

>> We are. Yes.

>> Mayor Adler: Okay. It's been moved and seconded on the amendment. Any discussion? Council member Casar.

>> Casar: I support that amendment so I'm happy to let that go.

>> Mayor Adler: Those in favor of the amendment, please raise your hand. Those opposed? The amendment passes. Council member harper-madison and tovo off the dais. We're now back to the main motion as amended. Any discussion? Council member Casar.

>> Casar: So, you know, just I want to reiterate that from talking to almost every service provider and person that works with persons experiencing homelessness and medics, there's just been stories of how this has not been the way that it should be. I think that's been heard loud and clear by the staff. I'm heartened to hear from director Mendoza that maybe they can start making the transition of this program this year into the vision of what I think -- of what he's

[4:04:53 PM]

articulated. But without knowing whether that's actually going to happen this year and without the idea of let's -- let's -- not putting all of our eggs in this basket, that what we've heard from the experts on the ground, that they've been frustrated with, I just -- I think to show my concern with that, I'm just going to have to vote no.

>> Mayor Adler: Okay. Further discussion on this item? Let's take a vote. Those in favor of this item 74 as amended, please raise your hand. Those opposed? Council member Casar voting no, others voting aye, councilmembers tovo and harper-madison off the dais. This item as amended passes. Colleagues, I think that's everything on our agenda, other than congratulating council member Ellis on her news from this weekend. Congratulations. With that, I think we're

[4:05:54 PM]

done. Unless someone has anything, we're going to pick up tomorrow. Tomorrow it's the intent to -- we have a lot of people who have signed up to speak. In the morning we're going to take everybody, those are the budget speakers, everything except zoning. We're going to start promptly. It's going to be one-minute testimony in order to help ensure that we have some time to actually deliberate and act. We have zoning cases. That group hopefully will be able to be called at 2:00 in the afternoon to speak on zoning cases. We may be returning after 2:00, after those people speak to finish the business from the morning, so there's no guarantee we will go from zoning speakers into zoning cases, depending on how we move through the folks that are testifying. The zoning speakers at this point, I think, are going to be two minutes. Also, it's one minute in

[4:06:55 PM]

the morning with the speakers, and two minutes in the afternoon with the zoning speakers. Anybody have any questions or thoughts? Yes, council member kitchen?

>> Kitchen: I'm sorry, you said the zoning would be at 2:00, is when we'd take -- it's all the speakers for all the zoning cases; right?

>> Mayor Adler: Correct.

>> Kitchen: Okay.

>> Mayor Adler: Council member alter?

>> Alter: So the morning we're starting includes the budget.

>> Mayor Adler: Correct.

>> Alter: So the budget hearing is going to be mixed in with speakers on any other items, should there be other items.

>> Mayor Adler: Correct.

>> Alter: And we're starting at 10:00?

>> Mayor Adler: Yes.

>> Alter: Okay. And how many speakers do we have signed up? Do you know?

>> Mayor Adler: I don't have that number handy. Does the clerk have the numbers of speakers in the morning and in the son of a bitch. Afternoon?

>> So, mayor, we have over 430 speakers for the

[4:07:56 PM]

morning and over 200 speakers for zoning.

>> Mayor Adler: 430 speakers in the morning? How many speakers in the afternoon?

>> About 218.

>> Mayor Adler: Okay. I don't think we can go two minutes for the speakers in the afternoon. We don't get -- have we talked [indiscernible] In order to finish this, if we could extend over to Friday morning? So, by the way, that's, like, 430 and 220, we'll have, like, 650-plus speakers, that's 11 hours, assuming everybody gets one minute, to speak, plus there's all the work that we're supposed to be doing on that day.

>> Mayor, we'll certainly look at other contingency

[4:08:56 PM]

plans but we'll also talk, if there's any zoning cases that could be postponed.

>> Mayor Adler: Yeah. The agree to which you can -- if we need to schedule a special call where we take zoning cases and set them to a day certain by way of postponement, a special called meeting just to handle things that are postponed so that people know, but anyhow, we're continuing to talk to the clerk's office. I hope to be able to post something on the message board here in the next hour or two that would give everybody some greater direction. Council member kitchen?

>> Kitchen: I'll talk to staff, but there are two zoning cases from d5, one of which I understand will go on consent, which should reduce potentially the number of speakers. We can look into that. And another one which I understand requested to be postponed. So I don't know how many of those 200 speakers reflect those two cases, but there could be a substantial amount of

[4:09:56 PM]

them. So we'll check on that.

>> Mayor Adler: That sounds good. I think that Jerry is involved in these conversations so if it's something that he knows, it's part of the discussion that's happening right now. All right. Pay attention to the message board. We'll kind of let you know, and be thinking about Friday morning just in case, if nothing else seems to work. And with that, it is 4:10, and this meeting is adjourned. My office tells me, council member Ellis, that I cut you off just right after we all congratulated you. I didn't know if you wanted to say something.

>> Ellis: I just wanted to say thank you. That's all.

>> Mayor Adler: Okay. We're very excited for you. And with that, at 4:10, today's meeting is adjourned.