

City Council Regular Meeting Transcript – 04/08/2021

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[10:04:49 AM]

>> Mayor Adler: It's 10:04 on Thursday, April 8, 2021. This is the city of Austin city council meeting. It's being convened virtually. We have a quorum present. We still have others that are coming to sign on. I can see Alison and Ann's box, but not them. Kathie was with us, but had a connection issue and is coming back. Alison joining us again. Councilmember kitchen is on. >> Tovo: Here I am back. Do I still sound like a

[10:05:54 AM]

chipmorning? >> Mayor Adler: No, you sound good. Colleagues, let's take a look at the agenda in front of us today. >> Good morning. This is the Spanish interpreter. >> Mayor Adler: Yes. >> Pool: Should we call the meeting to order? >> Mayor Adler: I just did a second ago and announced where we were and the date and announced that we had a quorum present. So we're going to be able to move forward. Colleagues, we're going to do first the changes and corrections. Read those into the record. Item 21 was recommended by the water and wastewater commission on a 9-0 vote with commissioner Mitchell absent. Item 28 is adding councilmember alter as a co-sponsor. Item number 46 is being postponed to April 22nd,

[10:06:56 AM]

2021. The items that we're showing as being pulled -- being pulled by councilmember alter are items 4 and 11 and also items 10 and 12. A late backup we have at this point is in items 5, 12 and 26. 26, the late

backup updated the waiver language at the bottom. I also voted Jennifer Ramos is being appointed by councilmember Ellis and not councilmember Kelly. We also have late backup on items 28, 41, 42, 44 and 48.

[10:07:58 AM]

And as I hope you will all remember to remind me later, we have late backup in Austin housing finance commission items 1 and 2. The consent agenda for us today are items 1 to 29 and also 4 to 46. We have about 30 speakers that are signed up to speak to us this morning. We're going to take the speakers at three minutes each. We're going to take the Speake that signed up on city of Austin business and then the clerk is going to let us know when we have just the Austin housing finance corporation folks want to go speak on those issues. We'll recess the council meeting, convene the Austin housing finance corporation,

[10:09:00 AM]

hear those speakers and recess that meeting and come back to the city council meeting. The hope is to be able to take care of the consent agenda items and then the pulled items, if we're able, if we have time we can take up the the Austin housing finance corporation meeting. We have four items that are not zoning cases that we can also take up. The intent is to break for lunch between 12ish and 1:00. Let me checknd see. And then we have executive session today which is the personnel discussion with the manager. Anybody have any thoughts or questions before we hear from speakers this morning? Yes, councilmember Ellis.

[10:10:01 AM]

We also have citizen communication, three speakers at noon. Councilmember Ellis. >> Ellis: Thank you, mayor. If it's all right with the sponsor, I would like to be added as sponsor on item 28. When 24 came to us previously, we had discussed adding language about Austin community college being added in, so I wanted to repeat that conversation that we had a couple weeks ago. >> Tovo: Councilmember Ellis, thank you, I did Austin community college. I don't know if you saw that he had it in the backup. >> Ellis: As a co-sponsors? >> Tovo: Sure. Thank you for your support on it. It is -- well, when we get to it, I can tell you where it is. Oh, no I can tell you now. On lines 108 to 109 I've added in the Austin community college as addition. >> Mayor Adler: We have three amendments. Does 28 stay to the consent

[10:11:03 AM]

agenda? An amendment from Casar, tovo and then amendment to a whereas clause from councilmember alter. Does anybody have any objection to any of those three amendments? >> Casar: No objection. Hold on. No objection, but -- but in the latest on the message board was me slightly tweaking councilmember tovo's inclusion of my amendments. And so I don't know if that's what everybody is looking at. It was just before the meeting started. >> Tovo: I haven't seen it yet so let me check it out. >> Mayor Adler: We'll come back to that after we hear from speakers. >> Tovo: And I have comments to make, but hopefully it will stay on consent. And councilmember alter's is friendly to me. I think the language on the

[10:12:04 AM]

motion sheet had -- amended not the latest draft but it should work fine anyway. >> Mayor Adler: We'll call this item up and discuss it after the speakers. Ann Morgan, did you have something you were trying to say? >> I was just trying to say they all made it into backups since some of the changes were from today. >> Mayor Adler: We'll go through in detail and make sure the record is really clear on the amendments we're using, just not at the moment. Councilmember alter, you raised your hand? >> Alter: Yeah, I was just going to say I'll also want to add direction later, when we take that up. >> Mayor Adler: Okay. We'll probably end up pulling 28 because there's so many moving pieces, if people want to talk to consent. In fact, let's go ahead and

[10:13:04 AM]

pull 28, I think that will go fast. We'll pull 28 as well. Councilmember Kelly? >> Kelly: Yes, on the consent agenda, could you please reflect me voting no on 6, 7, 8, 17, 30, 31 and 32? >> Mayor Adler: Yes, the clerk will so note. >> Kelly: Thank you. >> Mayor Adler: We're going to hear from speakers three minutes each. We'll hold off on the -- on the applicant on the pulled items 11 and 4, 10 and 12, until we call those items and then we'll give them a chance to speak to the council. Clerk, if you are with us, we could go ahead, and if we have speakers that need an interpretation, we can certainly call them first, if that's helpful. >> Okay, mayor. We have a total of five

[10:14:07 AM]

Spanish speakers and Raquel, the interpreter, are you on the line? >> Can you hear me? >> Yes. The first speaker -- the first speaker is Leticia -- one second. Okay, the first speaker is Leticia Diaz. Mayor, one second. Leticia?

[10:15:10 AM]

Raquel, go ahead. >> [Speaking in Spanish] >> Translator: Okay. >> [Speaking in Spanish]. >> My name is Leticia Diaz and I live in 67841 and I'm a resident and I'm affected. >> [Speaking in Spanish] >> Translator: And I'm affected since I have two little children, they are both minors, and I was highly affected by this storm. >> [Speaking in Spanish]

[10:16:22 AM]

>> Translator: And it was really nerve wracking. I lost food, I lost water, I lost electricity, and not only me but a lot of people in the state. >> [Speaking in Spanish] >> Translator: And I realize the city of Austin is not really prepared for disasters. We didn't have any notices. They could tell us weeks before so we could prepare with food and everything else. >> [Speaking in Spanish]

[10:17:33 AM]

>> Translator: And we would like for the future to be prepared for possible disasters with information, giving us information about shelters where they are full with water and food so that we're prepared. >> [Speaking in Spanish] >> Translator: And we also want to be part of the plan of preparation for disasters in the city. >> [Speaking in Spanish] >> Translator: And we would like just to learn that for the future, to let us know through the news, that's how we get our information. Please let us know in advance. Thank you very much. That's all.

[10:18:38 AM]

>> The next speaker is Frances Acuna. Frances? >> Can you hear me? >> Go ahead. >> Can you hear me? I'm here. >> [Speaking in Spanish] >> Translator: In English. She's going to do it in English. >> Three minutes. >> My name is Frances Acuna, a long-time resident of dove springs and community league organizer with vamos Austin. I have seen me neighbors missing necessities in a disaster. As a community organizer, I

[10:19:40 AM]

put my training into be ready for a disaster but I can't do it fully because of the gap of not having the city connected with residents response. I want to mention that I am already surviving, adapting and thriving in the face of adversity. I am already resilient in trauma, tragedy, threats and inequities because I am forced to bounce back, forced to be resilient. It's time to equip your constituents to be resilient but also sustainable. I'm here to speak in support of item 28, to build a plan that is holistic and equitable and fair with the right city departments, organizations, community leaders and residents can work together in mitigate mitigating flooding, infrastructure, heat, wildfire and now ice.

[10:20:41 AM]

But in order to do that, there is -- there needs to be resilience with orders to open within communities such as school, churches, rec centers, libraries, or any buildings with space to shelter people. Each is to be equipped with water, snacks and necessities such as tylenol, toiletries and minor but much needed supplies in a disaster event. There needs to be standing orders for case managers for assessing and come up with a follow-up plan for mental health in short and long-term trauma caused by the effect, by the climate event. Social workers with the ability to register people on medical access programs or affordable care act or any resources needed. Medical response teams with the ability to write scrips

[10:21:42 AM]

or medicine. Have funding for co-pays when residents are not able to afford it. Residents need to be directly involved in the process of the disaster preparedness plan. And because we already know what areas get flooded, what areas are desert islands and where are the most vulnerable communities, we need to involve those residents in the plan in order for us to be successful and being responsive. Thank you very much and I thank every councilmember that is supporting this item. [Buzzer sounding] And thank you forgiving us the time to -- for giving us the time to speak. >> Next speaker is angel Gutierrez. Angelica?

[10:22:55 AM]

Raquel, can you ask if she is ready to speak, please? >> Sure. [Speaking in Spanish]. >> Okay, we'll try -- >> [Speaking in Spanish]. >> We will try to reconnect with her. Next speaker is Perla Hernandez. >> [Speaking in Spanish]. >> Si. >> [Speaking in Spanish]. >> Si. >> [Speaking in Spanish].

[10:23:58 AM]

>> Speak speak [speaking in Spanish] >> Translator:, hi, my name is Perla Hernandez, 78744, and I would like to talk about the disaster that happened. >> [Speaking in Spanish] >> Translator: And where I live I'm affected and I was affected not only me, others. We run out of food, water.

[10:24:59 AM]

It was really traumatic. >> [Speaking in Spanish] >> Translator: So I was -- it was really frustrating. A lot of us, we run out of water, out of food. Some of us we get by by bus, there was no service.

[10:26:01 AM]

It was really frustrating and we had no food and no water. And we're still affected. Some of us are still affected by this. I feel like the city took too long to get people help. >> [Speaking in Spanish] >> Translator: So what really we need is for the city to be prepared for disaster. We realize Austin was not prepared for disasters, and we would like to have the

[10:27:04 AM]

city send us maybe text or some sort of alerts through our phones and for also to find out where we can find shelters that are prepared with food and water. >> [Speaking in Spanish] [Buzzer sounding] [Speaking in Spanish] >> Translator: So the city can be prepared for any disasters, so that they can help others and this they may have some sort of record so that they know how to help people in the future. >> The speaker time is up.

[10:28:06 AM]

>> [Speaking in Spanish]. >> Mayor and council, we have tried to reach Angelica and she will either not pick up or she will disconnect herself manually so we're assuming she doesn't want to speak. So the last Spanish speaker is Irene Hernandez. >> [Speaking in Spanish] >> Translator: Good morning, my name is Irene

[10:29:09 AM]

Hernandez. >> [Speaking in Spanish] >> Translator: Hello, my name is Irene Hernandez. I live in 68744, and I agree with article 28. >> [Speaking in Spanish]

[10:30:29 AM]

>> Translator: I'm really frustrated. I am a mother, I'm a single mother of two daughters. One with special needs. And it was really frustrating, my daughters are traumatized by it. I have no electricity, no food. I couldn't get to work because there was no bus service. The neighbors were helping each other so I was very lucky to have a neighbor who could give me shelter and food. So in the future we would like to see for the city to be prepared with shelters and maybe they can send us messages through phone. And at least be a little better prepared for a disaster because the city -- we could see there was really no response. Only the community was able to help one another. >> [Speaking in Spanish]

[10:32:03 AM]

>> Translator: So we would like to -- okay. We would like to see more shelters. Maybe you could use an alert like the amber alert where we could get messages. We watch TV and plus we didn't have electricity. If we could have known ahead of time and we have a little time to prepare it would be better. It was volunteer in the neighborhood and there was kids and people, elderly who did not have any food. And the city really took a long time to provide food for them. So I just wanted to make sure we are better prepared for the future. That's it. >> Okay, mayor, that concludes all the speakers for item 28. If you are ready for the ahfc agenda. >> Mayor Adler: Are all the other speakers on ahfc

[10:33:06 AM]

or is that we're going to do the ahfc speakers now. >> Mayor, if we could do the ahfc speakers now because we have also have a sign language interpreter for this meeting. >> Mayor Adler: Let's go ahead and recess the city council meeting. We'll come back. And let's convene the Austin housing finance corporation meeting on this April 8th, 2021. It is 10:33. We have a core rum of the directors present -- quorum of the directors present. We're convening for the purpose of hearing speakers and then we're going to take a recess and come back to the agenda. It should be noted that there is late backup in the Austin housing finance corporation meeting of items 1 and item 2.

[10:34:07 AM]

Revised fiscal notes. Let's go ahead and have the speakers and then we'll recess the ahfc meeting and come back to the city council meeting. Mayor pro tem and vice chair of the board, can you take the chair if it's needed before I get back. I need to step away for just a moment. Thank you. Clerk, why don't you go ahead and call the speakers. >> Mayor, we're moving over the speaker. One second. >> Mayor Adler: That's okay. Thank you. >> If [indiscernible] Can

[10:35:07 AM]

please turn her camera on. >> I've got the camera turned on. >> We still can't see Shirley on camera. >> Well, I -- I can see myself -- okay, wait a minute. I see another thing to push. >> There you are. Okay. Our first speaker is Shirley prosland. You have six minutes, and the interpreter is on the line as well. >> Okay. My name is Shirley Crossland.

[10:36:10 AM]

I live at -- at [inaudible] At creekside. And I am for the item about Arbors. I'm sorry, I don't understand when I'm supposed to speak and be silent because I don't see or hear anything. So I have no way to know -- >> Okay, miss Crossland, just make your comment. The interpreter is interpreting. We can hear you and the asl interpreter is interpreting your comments, so just keep going. >> Okay.

[10:37:11 AM]

I'm in favor of changing things at Arbors because I've lived here for about six years, and over that time period I've seen both the buildings and the property and the service slowly deteriorating every year. And we've -- there seems to be a general reluctance to repair things in a timely manner. And a general reluctance to do good, permanent repairs. So the particular thing I

[10:38:12 AM]

want to -- to tell you about today are the mailboxes for buildings 4 and 5. I live in building 5. And someone vandalized the mailboxes last year. It's for most of the year the office tried to handle the mail, distributing the mail to us because everyone said that everyone else was responsible, and no one did anything to repair them for months and months. We then in December they were working again for -- and in January they worked, and then in February they

[10:39:13 AM]

were vandalized again. And I saw the front of the mailboxes in the office, and it was clearly one corner was bent. [Buzzer sounding] Also, the frame that the front fits into to cover the boxes is bent. So once again that needs to be repaired. And there's apparently there's no -- nothing done to keep people away from the mailbox -- >> I'm sorry, your time has expired. >> Okay. Thank you. Good-bye. >> Thank you.

[10:40:37 AM]

Okay, the next -- >> Harper-madison: Am I understanding we have more speakers? >> Yes, we on did. The next speaker is Jean latrell. I'm sorry. We're connecting to the speaker. One second.

[10:41:40 AM]

Jean latrell. Go ahead. >> Can you hear me? >> Yes, please proceed. >> Okay, sorry. Yeah, my name is Jeannie latrell and I live at the Arbors at creekside. I lived there at Arbors going on -- or in my sixth year. And I want to support both the items that are up. Namely the -- [indiscernible] To buy out a partner that we have now. Because they don't do anything to help us. They are not supportive, they are rude, and they just come in our apartments whenever they want to. There's no notification. It's the pounding on the door and they come in. And it's really, really stressing for a lot of people and it's really distressing when they just walk in, they open the door and come in.

[10:42:42 AM]

So what we're asking for is for the city council to support the money to buy out the partner that we have now and the money to -- second item would be to rehab Arbors. They are both very important. This used to be a really great place and it can be and we just need some money to invest into it. And we need some decent managers so that, like, the point of entry doesn't happen again where somebody walks in on you because it's really scary. We don't have security here and we're on our own. We're on our own through the ice storm. If it haven't been for the defense league, I don't know what we would have done. I don't think some team would have survived because -- some people would have survived. Because even if we had notice the storm was going to be that bad, most of us on limited income can't just pick up and go get stuff, and we need management and there wasn't any coming. We needed help afterwards and there wasn't any coming.

[10:43:43 AM]

Still have people in building 2 where the pipe broke and they are just now getting stuff done, fix it. But they did not get permits from the city to fix anything, so they are acting like they didn't know they had to, including the contractor. This is unbelievable. Anyway, I know this is kind of scattered. Sorry. But I just want to let you know I support both of the items that are up and also I hope that the city council votes for them too. We have worked hard for four years to find a way to get a new partner in here and a rehab is necessary for the apartments, you know, in total rehab of each apartment. Because we're living with a lot of bad stuff, ovens that turn on by themselves.

[10:44:47 AM]

You know, the carpets are 16 years old. And so even if you clean them, you can't get clean to the pad. [Buzzer sounding] And I know I'm repeating. >> Speaker, your time has expired. >> Thank you very much. For letting me speak. >> Next speaker is Pam Rogers. Miss Rogers? Pam Rogers?

[10:45:53 AM]

We'll try her back. That concludes for now the ahfc speakers. >> Mayor Adler: Vice director hper-madison, I'm back. So thank you for taking the helm. Before we recess this meeting to get back to speakers in the regular city council meeting, director Casar, you raised your hand. Did you want to say something? >> Casar: Just before the tenants log off given we might not take up the items until later, I appreciate them calling in another building is on the border of me and the mayor pro tem's district and I know she's done significant work there, but I just wanted to acknowledge to them coming to say thanks to support these items, but I know they've worked a really long time to make this sort of important change.

[10:46:54 AM]

And so I wanted to thank Basta for their work alongside the tenants to make that change, and I think workers defense is also acknowledged for their work trying to take care of people in those apartments during the storm. >> Mayor Adler: Sounds good. And thank you for that. >> Mayor, we have the caller that was dropped. She's on the line now. >> Mayor Adler: Okay, great. Call her up. >> Pam, go ahead. >> Hello, my name is Pam Rogers. And I reside at 1026 Clayton lane here in Austin, Texas. Better known as the Arbors at creekside. I'm a retired business owner and former homeowner, and I chose Arbors as my retirement home almost nine years ago. It was a beautiful place to call home, but now I'm ashamed to

tell anyone where he live. There's mold in and around the apartments on ceiling vents, walls and carpeting.

[10:47:55 AM]

And so bad it hurts your eyes and nose. Patio and balcony ceilings coming loose. During the hot summer months it's not uncommon for residents to suffer from heat exhaustion in the laundry room. No working acs. Apartment acs breaking down for days and sometimes weeks at a time. I bought a window air conditioner. Elevators breaking down leaving residents strand to do the upper floors for long periods of time. The last inspection was October 2020. Fire alarms going off in the building so often residents have become complacent. And steel fireproof doors are stuck in the closed position causing us to prop them open with door stops. Our mailboxes broken into or completely ripped off the

[10:48:56 AM]

wall. It's an unsecured area that's easily accessible to non-residents and thieves alike. Non-working security gate. Our vehicles stolen and broken into. Front doors to each building easily pulled open without having to use a security code. Due to the laundry machine being ripped off the wall in the office lobby. Again, no security features anywhere. A swimming pool that keeps failing code inspections. Last year I saw tadpoles swimming in our pool, or maybe it was mosquito larvae. That myself and others [indiscernible]. And I say that because we have not been treated with respect or dignity in quite

[10:49:56 AM]

some time. Thank you. >> Mayor, that concludes all of the speakers. >> Mayor Adler: Thank you. Vice chair harper-madison. >> Harper-madison: I just wanted, councilmember Casar beat me to it because I wanted to recognize how grateful we are for folks showing up to share their truth with us. This is one of these tricky ones that I've been dealing with for several years and my colleagues have before I got there. And it's amazing how speaking of resilience this complex that's designed for, you know, our seniors has really struggled to provide like the last caller said a dignified place to live. What they deserve. And I really just want to say I know without the constant support and advocacy of Basta, that's

[10:50:58 AM]

the one I can personally speak to having worked with directly that we wouldn't be here today where I finally feel some hint of optimism about what things are going to look like moving forward for the residents of Arbors. So again, thank you all for your self-advocacy. It in a lot of ways is why things are moving along. >> You are muted, mayor. >> Mayor Adler: With that at 10:51, recess the Austin housing finance corporation meeting and we're going to reconvene the Austin city council meeting on April 8, 2021, 10:51. And let's continue to hear speakers on our non-zoning agenda. >> The next speaker is Laura Olson.

[10:51:59 AM]

>> Hi, my name is Laura Olson. Early childhood equity director for bamos Austin. I'm here in support of item 28 and speak to schools as resilience hubs. Aisd play a vital role in the climate crisis. We saw the winter storm, how school communities scrambled to coordinate crisis response. And we thank everyone who stepped up to report and respond. For Austin's eastern crescent school communities made up of resourceful, resilient people who have endured disaster before, it was stressful and traumatic and many are still dealing with the on top of the pandemic, on top of pre-pandemic poverty and inequity. A greater preparedness and response with the city is absolutely critical.

[10:53:00 AM]

As school hubs are considered, consider recommendations, an interlocal agreement with the city, Travis county and aisd setting district policy standards for climate preparedness and disaster for all aisd schools. Prioritize title 1 campuses where communities greatly need and want preparedness training and are most impacted by disasters. Grass roots community leaders on existing community advisory councils must advise the creation of standing orders for campus crisis response plans beyond fire, tornado and active shooter drills to include disaster preparedness and response. Communication plans to reach every family and school employee must be in effect. Each campus must also be required and trained to host trauma informed debrief conversations, following an extreme weather event.

[10:54:00 AM]

School employees must receive preparedness training to support others. Increase funding for parents support specialists and equip with high quality technology to implement crisis response. All of this needs to be done in coordination with the city of Austin equity office and aid equity office to ensure an equitable and. >> Translator: Parent school disaster preparedness and response. Doing so with multi language access and community inclusion as described in councilmember Casar's amendment is essential. Thank you for approving item 28. >> The next speaker is Cynthia Vasquez. >> Excellent. Can you hear me? >> Yes, go ahead. >> Cynthia Vasquez. Cool, thank you. My name is Cynthia Vasquez,

[10:55:04 AM]

school health equity coordinator at gave. I'm going to echo what my colleague Laura Olson said. I'm here in support of item 28. Our schools particularly Austin aid campuses in the eastern crescent play a vital role in the climate crisis we are now living through. The February winter storm crisis showed us again how many school communities work together to coordinate with community volunteers and organizations. And I want to give a shout out and thanks to everyone who stepped up to serve the people. We also observed opportunities to strengthen our response time. For example, in 78745, many schools do not have seller hub location to direct families to. Some administrators did not know how to set up assistance at their schools. Some families were unable to get to their closest school based hubs.

[10:56:04 AM]

There are many winter storm stories and this is imperative to the formation of effective community hubs. I serve 9 for aid for 17 years and my role as a parent support specialist was more than what was printed in black and white. Crisis and trauma response was almost a daily plight of my duty. Pre-pandemic at most title 1 schools is the first point of contacts for families and usually the first staff member called when involved a family in need. During the pandemic and climate crisis, current support specialists continue with rental assistance applications, transportation to food pantry, relocation and housing issues, and employment. With planning, funding and accountability from the city and county, aid resilience hubs can be ready for the may flood, the summer extreme heat, the August hurricanes, and more, but it will take district level policy and standards along with working with school

[10:57:05 AM]

employees and community the each campus to know best what works for their particular school and neighborhood. As school hubs are developed, please consider the following recommendations. First and foremost, increase funding for parent support specialist positions and equip them with high quality technology to better implement crisis response. They are one of the few staff members who are required to be mobile on and off campus. Some have limited technology access and responding to community need can be delayed. Psss are also the only staff member on a school site required to maintain parent engagement digitally and in person as available. The pandemic has further amplified the digital need and gap in particular for staff who provide crisis and trauma response group support. A couple of other things I hope I can get out. [Buzzer sounding] Community leaders on existing councils must advise the creation of standing orders.

[10:58:06 AM]

Embedded into their existing -- >> Speaker, your time has expired. >> Thank you for today. >> Next speaker is Monica Guzman. >> Mayor, give us one second. We're having some technical difficulty. >> Mayor Adler: Okay.

[10:59:13 AM]

>> Monica Guzman.

[11:00:21 AM]

Monica, we'll come back to you. The next speaker is Anna Aguilar. >> Good morning, I'm in a long-term resident of district 2. I'm speaking in support of item 28 establishing resill only hubs. This is an effort I hope will result in outcome and not just another document that gets filed away and forgotten. In reviewing the draft resolution, I have one recommendation, to add extreme cold on line 7. I look to thank councilmembers co-sponsoring this resolution. I really appreciate we've each of you. I'm talking about the winter storm crisis. Acknowledge the history to this initiative. There have been prior resolution -that directly impact the flood task force. Where was the eoc? What will be done to correct

[11:01:22 AM]

issued identified? We need an action plan and to operationalize the plan. We need a time line for this. We also need to engage all the public sector and bring in the private sector as needed. The public sectors can only do so much. We need to take corrective actions from lessons learned from drills. We look to you as the city council but as a community we do things on our own. We already have established organizations, actually a group of us in dove springs is meeting later today regarding the winter storm. Engage us to help and be part of the solution. Engage us as residents during this winter crisis, we established meaning neighborhood drill. We had to rely on ourselves to charge our cars. We quickly accepted a telephone tree network in the old days to check in daily. We know who our vulnerable neighbors, those are language barriers, the

[11:02:22 AM]

elderly, most with medical needs and in need of meals on wheels services. We also know neighbors with resources, those are four-wheel drive vehicles and who did grocery runs and moved to safer locations. Some of us have emergency kits, but not the winterized version. We need helmet updating the kilts. We want to thank all the staff that stepped up despite their personal crisis. They are true public servants. I also want to thank you and the city staff who have already met with us to Friday solutions in response to this crisis. We thank you for your service to our community. >> Mayor, we have a Spanish speaker who called back, so we've got the interpreter on the line, so they get three minutes -- I mean six minutes. Raquel, are you ready?

[11:03:22 AM]

>> Yes, I'm ready. >> The next speaker is Angelica Gutierrez. >> [Speaking in Spanish] >> Translator: Hello, my name is Angelica Ramirez and I live in 78741. >> [Speaking in Spanish] >> Translator: I agree with article 28. >> [Speaking in Spanish]

[11:04:33 AM]

>> Translator: I was affected. I have three children and I had no electricity, no water and as everyone else we suffered getting food. >> [Speaking in Spanish] >> Translator: Nobody was, you know, waiting for the storm, nobody knew about it. We were not prepared. >> [Speaking in Spanish] >> Translator: Now my recommendation for the city would be to pass along information to the residents. >> [Speaking in Spanish] >> Translator: And there's nowhere to go because in

[11:05:33 AM]

that moment I had no idea where to go, what to do, who to contact. >> [Speaking in Spanish] >> Translator: I would also like to see shelters that are prepared for those times when we need them. >> [Speaking in Spanish] >> Translator: That's all. Thank you. >> The next speaker is Monica Guzman.

[11:06:51 AM]

Monica, it's not allowing us to transfer you over, so we are calling you. Make sure to answer that phone call. Okay, Monica, you are on. Monica Guzman. >> Good morning. I'm Monica Guzman, policy director for gave speaking in support of item 2818. Last week gave hosted a winter storm debrief with city of

Austin representatives listening. Residents gave lessons learned and recommendations including those related to access to water and food, loss of utilities,

[11:07:51 AM]

communication from and with the city about resources, community-led response and understanding how people look out for each other at the neighborhood level. City leaders acknowledged gaps, issues and as moving forward the city must collaborate with residents and community organizations. You have department champions on the front line engaging with and bringing in the community. Watershed protection, sustainability know where it happens. This needs to be reflected in the budget this season. Department leadership must elevate priorities. Especially public works, housing and economic development. In order to reassure community members and move this work forward, it is imperative we see actions follow-up. Specifically the office of sustainability has to lead this work. They already have a head start and framework and know who is at the table and who is missing. Community must be engaged to create standing orders for

[11:08:53 AM]

resilient hubs. Gava will be there and we can bring others in as well. Take all the lessons learned and make them into standing orders with protocols with name and contact information for key people. Your frontline workers must be engaged in every department and aid. Neighborhood Lee say sons, police officers and frontline city staff from wastewater protection and other departments. They already have lesson learned and know what needs to be in place before the next disaster. The city can fund for the crisis they already do, but codify orders so things are predictable and plan. Take care of the community leaders. Ask what people need, shorter hours, better health and mental health support, et cetera. This work takes a cumulative toll. Thank you. While I am finished with my planned comments, I want to add the challenges ensuring

[11:09:58 AM]

Angelica Gutierrez to address council which took text messages, emails and more. That was addressed in recommendations by one of the reimagining public security task force work groups last night. I'm sorry about my being tongue tied. Even my own challenges in hearing me speak and I am tech savvy and speak English. Think about what it is for those not as tech savvy or English speakers. Thank you. >> Mayor, that concludes the speakers for item number 28. We're going to move on to speakers for items 25, 30 and 32. >> Mayor Adler: By the way, I want to thank you and the group that's working to now try to group speakers by item number. It's not going to be perfect

[11:10:59 AM]

as this process is worked out, but I think this is really helpful for both the speakers and for the council. Go ahead, please. >> Paul Robbins. You have three minutes. Bobby Levinsky. >> This is Bobby Levinsky. I am speaking today as an attorney with sos and a board member of the oak hill association of neighborhoods. I'm speaking in opposition of items 30 to 32 because we need the city's help to protect oak hill. I want to start by saying that I understand that voting against these eminent domain items will not stop the highway expansion project. That's not the point of me speaking on them.

[11:12:00 AM]

Sometimes you got to make a lemon drop martini and that's what I'm going. To daylight imminent environmental concerns. Despite drastic changes in chuting patterns resulting from the pandemic and two ongoing lawsuits by environmental stakeholders, txdot is forging ahead with its 12-lane mega highway project that will tear through the heart of oak hill. The highway will destroy parts of Williamson creek and remove heritage streets. A Texas dot contractor is proposing to build a concrete batch plant on the ACC pinnacle complex adjacent to houses and apartments. Concrete batch plants and the particulate matter they release have been director directly linked to respiratory issues and

[11:13:01 AM]

certain cancer. Several of you have spoken out against this highway design and out spoken against highway expansions generally recognizing their negative contribution to climate change. We need your voice again, your action. Voting against these items or postponing them might only be symbolic in nature, but it would show tex dot that the city of Austin will not longer be silent. Fight to enforce zoning regulations to prevent the batch plant. We need city leaders demanding txdot adjust to -- damage to Williamson creek. Harris county recently sued txdot over its planned I-45 expansion. Let's do that both with this project in oak hill and the utter staffed proposed with I-35. Stop making it easy for

[11:14:02 AM]

txdot. Please speak up. Thank you. >> Paul Robbins. Paul, please -- we're going to disconnect you and we will be calling you right back. Please answer your phone.

[11:15:16 AM]

>> Hello. Can you hear me? >> Yes, go ahead, Paul. >> Hello? Council, I'm Paul Robbins, an environmental activist and consumer advocate. I'm here to protest the tending gas utility rate hike, item 25. Less than a year ago, Texas gas service was granted a rate increase. Now they are back for more. If this increase is approved, gas rates, the amount received by the company, will have increased 25% since 2019. With taxes, this is \$72 a year for the average Austin ratepayer. But it gets worse. If gas rates increase by the same amount that they increased this year, at the end of the current five-year rate period, gas rates will increase 57%. Repeat, 57%, or \$165 a year. At the end of the five-year

[11:16:16 AM]

rate period, Austin residential customers could collectively be paying \$32 million in rate increases annually. The greater region will be paying even more. Meanwhile, it is almost inevitable that gas fuel costs will go up because of the winter storm. Unemployment is still relatively high because of the pandemic. And the gas company has budgeted such a ridiculously insufficient sum for low-income assistance that it could be confused for satire. While Texas gas service is largely responsible for this, some blame can be leveled at the city's docile regulatory bureaucracy. There are two things council can do to begin to correct these problems. First, give the resource management commission or another city commission the ability to review all

[11:17:18 AM]

aspects of a gas utility. The increased oversight will over time create a better chance for fairer rates. Second, pass a resolution stating that when the gas company's franchise begins renegotiation two years from now, the city will ask for bids from competing utilities. If Texas gas service realizes it has to compete, it might just become more fiscally prudent. One final note, I end my speech on another topic supporting my neighbors against items 30, 31 and 32 until a way is found to keep a concrete plant out of oak hill. Thank you. >> Carol sesperes.

[11:18:18 AM]

>> Thank you. My name is Carol sesperes. I am a resident of 7300 Carl brown lane in oak hill, 78736. My husband and I have lived here for the last 27 years and as such I have been part of the many activities in our area. I am currently a member of the ohac board and well as a board member of my neighborhood association, south windmill run. And a past member of the ACC community advisory committee. I hesitate in referring to my connection to ACC because I was blindsided as were my neighbors when we

discovered that a concrete plant was being negotiated at the ACC pinnacle site. This is so close to our homes, but not just in

[11:19:19 AM]

measurable distance. It happens to be downwind from these homes. And we have in the past been impacted by a number of things that happened either at ACC or in the area between including the 2011 oak hill pinnacle wildfire. We not only had no official notification or public hearing for this, but we had to dig in and discover in the records of the ACC board of trustees that their only approval of this site was to permit the chancellor to negotiate with txdot for use of the parking lots for equipment and storm purposes. No mention at all of a concrete plant. So we had a large turnout of neighbors at the ACC board of trustees meeting last

[11:20:23 AM]

Monday. Some very heart-ending testimony about small children, plans for a safe retirement home, neighbors who suffered from serious health illnesses, particularly respiratory illnesses, and our research has revealed the extent of hazard from a concrete plant. Even a so-called wet concrete batch plant. Now, the building of this highway is still being challenged in court. I know that there are two court cases still open unnepa. We do not believe that txdot complied with its obligation for real input from the surrounding community when it approved this design. But apart from that, we certainly have had no opportunity to have input on the siting of a concrete plant and we believe any

[11:21:25 AM]

action on eminent domain issues or land use issues -- [buzzer sounding] -- Coming through city council should be delayed until certain things have been resolved. >> Speaker, your time has expired. >> Thank you. >> Okay, mayor, the next group are for the F.A.R. Rainey items, 10, 11, 12. The next speaker is Carson Neilsen. >> Hello. I'm just here to answer any questions. I think I got put on the wrong line. Here in favor of the item. Thank you for your time. >> Next speaker is Dustin

[11:22:25 AM]

Louderback. Dustin? Please unmute. >> Hello. I'm just here to speak in favor of item 12. 90 and 92 Rainey. We obviously have a house in crisis in the city, we see it every day. I receive in my part of town

Mueller district 9 three to four calls a week from realtors who want to put my house in a bidding war. You know, what makes most sense is high density urban living, reducing -- reducing issues on the infrastructure and also promoting walkability. Just here in support of the project and think that project as the developer has requested. Thank you.

[11:23:28 AM]

>> Justice timers. >> Hello. Jt and I'm a resident in district 9. And I'm here to speak in favor of items 10, 11 and 12. I think that the density bonus should be approved. And as the callers before, I really believe this density program is a bright spot in what are fairly dire straits, while our great booming metropolitan areas, which Austin is fortunate to be one of them. And I'm -- economic research is only starting to document really the massive costs from the misallocation of the housing and jobs. I just want to cite this one

[11:24:29 AM]

paper from Chicago and Berkeley in 2019, which shows that our output is 38% lower -- sorry, 36%, because we have this mismatch. So really the benefits of having this higher density productive places like Austin, they really extend beyond just having [indiscernible]. And as people mentioned before, it also includes having a lower carbon footprint, but beyond that, it means employers have less monopoly power, more choices to go to work with higher wages. There's more competition and products that prices are lower and the quality is higher and just variety. Just fantastic. And I understand that if more people creates greater congestion and the uses of land, but land will always

[11:25:29 AM]

be scarce, but we can alleviate by increasing the transport options and building higher so leaving more, not less space. I believe Austin is in a unique position where people really want to live in neighborhoods that -- I believe allowing these density bonuses and allowing builders to build as high as they can brings these benefits of density that I just mentioned. Amaybe a bit selfishly for myself will lower my rent. Thank you. >> Tovo: Mayor, may I ask the speaker a question? I caught you were a district 9 resident, do you live in the Rainey street area? >> Sorry, councilmembers, he already disconnected. If you like, we can get him back on the line.

[11:26:30 AM]

>> Tovo: That's all right. Thank you. >> Next speaker is Blair Carroll. Blair, please unmute. >> Blair Carroll. I currently live -- can you hear me? >> Yes, go ahead. >> Good morning, Mr. Mayor and council. Blair Carroll. I currently live in district 1, but I own a building in district 9 which I run my law firm out of. I've lived in district 9 most of the past decade and I'm speaking in support of the river street residences project that's item number 11 and the other residential projects that are seeking to go build more housing and invest in Austin. I support the project

[11:27:32 AM]

because housing prices are a function of supply and demand. While we as a city don't have direct control over demand, there is something we can do about supply. We need more housing and more projects like this one. It will supply hundreds of homes in an area where most of the residents will be pedestrian oriented. Low impact and high tax paying residents. I understand this project is argued over 20 affordable housing units, donating over \$400,000 to finish a local park, investing significant money in the dilapidated alley between Rainey and this is what we need in Austin. We need to support and promote these type of investments. I urge the council to vote and approve this project and other thoughtfully designed projects that add housing investment in our city.

[11:28:32 AM]

Thank you, bye-bye. >> The next speaker is Alex -- actually, mayor and council, the next group is for the EMS item. The next speaker is Alex Gonzalez. >> Good morning, council members. Thank you for -- my name is Alex Gonzalez. Thank you for allowing me to speak today. I'm calling with records to item 34 and I am in favor of city ambulance service being approved for their franchise agreement. I'm currently a student at the University of Texas and volunteer with different hospitals throughout the city. A common consensus is that when needing to transfer non-emergent patients it's taking way too long and causing a backlog and a lot of

[11:29:32 AM]

holes were found, especially during the freeze and also the last year during the COVID pandemic. I think the current ambulance providers are overwhelmed and cannot handle the volume they're currently getting so there definitely needs to be some help for them. Once again, council members, thank you so much for your time and I hope that you guys vote in favor of city ambulance service being approved for their franchise agreement. Thank you, guys. Have a wonderful day. >> Next speaker is Mo Mosud. >> Thank you for allowing me the opportunity to speak before you this morning. My name is Mo Mosud, I'm the founder and CEO of city ambulance service. I'm speaking today to ask for your first reading

approval of item 34. Our application to provide non-emergency transfer services been the city of Austin. I started city ambulance in 2006 and built the foundation on

[11:30:33 AM]

patient care and going above and beyond to exceed our patients and partners' expectations. For instance, all of our ambulances are equipped and staffed at the medical intensive care level. Allowing us to handle any level of care that comes into our dispatch center. During the pandemic and the freeze, we were one of the few ambulance providers that did emergent and nonemergent calls and transferred patients to the warming centers. Today we operate in about 85% of the state including Dallas, Houston, San Antonio, and their surroundings and all corpus Christi, Midland, and Odessa. We do 9-1-1 as well. Locally, we operate in Austin metro but not within the limits, the city limits. Granting this franchise would allow us to extend our service range for austinites and creating more jobs to the community.

[11:31:33 AM]

During the freeze we have received multiple calls from facilities located in Austin but unfortunately unable to help due to not having the franchise agreement. We feel strongly as did the ems advisory board as they unanimously approved us. There would be a great benefit to adding another ambulance service to the city. And granting this franchise would not cost taxpayers or the city anything. It would be city ambulance responsibility to compete successfully with other three providers. I'm happy to answer any questions you may have now or in the future. Once again, council members, we truly appreciate your time. It was an honor and hope that you vote to approve our application on first reading. >> The next speaker is Ruben

[11:32:38 AM]

Villanueva. >> Hello. Can you hear me? >> Yes, go ahead. >> Good morning, mayor and council members. I'm calling today to basically in regards to item 34 and basically let me tell you the reason why. A few months ago there was an incident. I had my mother in a nursing home and she fell and she needed to be taken to the hospital and what happened was unacceptable. We waited about two and a half hours for her ambulance to actually get there on scene. That's a long time. And basically currently I think the amount of people in Austin and the amount of ambulances out there, they just basically there's not enough and they're unreliable. So my call today basically is to say I'm in favor of having the city ambulance being approved for the franchise agreement.

[11:33:39 AM]

You need as many ambulances as you can. You need that system to be active all the time. Two hours is way too much for any type of accident. I appreciate your time, council members. Thank you very much. Bye. >> Next speaker is mark Classen. >> Hi, you guys. I don't want to take up a whole lot of your time. I am also calling in favor of item 34 and much like the experience I think the guy's name was Ruben who called before me. I also had a personal problem and had to wait a very long time, three hours for an ambulance, so I am definitely in support of approving item 34 and granting permission to city ambulance to have a franchise. That's all I wanted to add. Thank you very much for your time. Everybody have a great day.

[11:34:41 AM]

>> The next speaker is nome rassan. >> Hello? Hi, I'm Dr. Nome and I'm a graduate of the U.T. At Austin, then Baylor college of medicine, life-long Texan. I'm calling to speak in favor of item 34, city ambulance. I have been their medical director for many years now and I can certainly attest to the professionalism of the organization, to the medical soundness of their care, and for the protocols they use for ems being topnotch. All the medics at the organization are well trained and this organization has saved many lives. I very strongly feel a vote in favor is appropriate. Thank you.

[11:35:44 AM]

>> Mayor, that concludes all of the speakers. >> Mayor Adler: Thank you. Thank you to all the speakers that participated. Colleagues, we have 25 minutes before we're scheduled to do citizen communications. On the consent agenda is items 1 through 29, 44 through 46. I'm showing pulled items of 4, 11, also 10, 12, also 28. Is there a motion to approve the consent agenda? Thank you, council member kitchen, thank you for the second, council member alter. Any discussion on the consent agenda? Mayor pro tem. >> I would like to be shown

[11:36:46 AM]

voting no on item 27. >> Mayor Adler: Council member Kelly. >> I would please abstain from item 24. >> Mayor Adler: Okay. Council member kitchen. >> Kitchen: I wanted to make sure I heard you right. Item 28 was pulled, is that correct? >> Mayor Adler: Correct. >> Kitchen: I have a very, very brief amendment that I think aligns with the authors that I posted on the message board and I just sent around. That's just a heads up about that. >> Mayor Adler: On 28? >> Kitchen: Yes, on 28 but it's pulled so that's fine. >> Mayor Adler: Council member tovo. >> Tovo: Mayor, I'd like to request that you let us know again which

items are pulled. And I'm not sure that you got a pull from me for item 5. I have a quick question about item 5. >> Mayor Adler: I did not get that. There are the three bonus cases,

[11:37:48 AM]

which are 4, 11, also 10 and 12. Also being pulled is 5 by council member tovo and 28. The others, 1 through 29, and 44 through 46 are continuing on. >> Tovo: I would like the record to show me voting -- never mind. They're not on the consent. >> Mayor Adler: It's been moved and seconded. Those in favor of the consent agenda, please raise your hand. Those opposed? It passes unanimously with council member Renteria off the dais. All right. Let's see if we can address the pulled items. Council member alter, you pulled 4, 11, 10, and 12. Do you want to address those? >> Alter: I think I need another minute on those. We were waiting for some additional back up so I need a

[11:38:49 AM]

minute to make sure that I got the right information. >> Mayor Adler: Okay. Let's hold off. >> Tovo: Mayor, if I may, I was just going to suggest, I think 5 will be quick and 28 might be too and the ahfc, I have some comments but if you reconvene that, that might be quick too. My guess is the Rainey cases are going to take us more time and we're probably not going to be able to knock those out before lunch. >> Mayor Adler: I think you're right. In any event, council member alter indicates that she's not ready, she needs some information before we can go forward on those. So we'll move to the other pulled items that we have, let's see if we can get through them quickly. I have no. 5. Council member tovo. >> Tovo: We had an opportunity to talk about this in work session when it was on the agenda last time. Council member kitchen, you indicated you had some issues that you were working on with staff and I wanted to touch base and see if those had been worked out. But I also wanted to get a confirmation from our staff, in

[11:39:50 AM]

approving this today we're not approving any exclusion of organizations that are nonprofit that would fall into this category. >> Kitchen: Do you want me to speak to that, mayor? >> Tovo: I wanted the staff to speak for that piece and I wanted council member kitchen to very quickly speak to the other piece. The context for this is that in some of our other grants aimed at venues and cultural institutions, some of our worthy applicants were told by staff they were not able to apply because they're nonprofit organizations and that the council specifically wanted those for-profit. I think we really -- anyway, let's not go there again. I just want to be sure that we're not creating a similar situation where some of our worthy venues are not eligible. >> Mayor Adler: So, staff, is there a limitation to nonprofits for this particular fund, the \$2.5 million? >> Good morning, council, Sylvia

[11:40:50 AM]

from the economic development. Nonprofits will be able to apply for this fund. >> Mayor Adler: Thank you. Council member kitchen, do you want to address the other concerns of council member tovo? >> Kitchen: Yes, council member tovo, we did work out the language. What we're voting on is the revised version that's in the back up. >> Mayor Adler: Okay. Is there a motion to approve item no. 5? Council member tovo. >> Tovo: I was going to move approval but I'm going to let council member kitchen because it was her resolution. >> Mayor Adler: Council member kitchen makes the motion. Council member tovo seconds. Any further discussion on this item? Council member alter. >> Alter: I just want to say I'm really glad we were able to find a way to move forward on this and with this additional money from these dollars. I just appreciate staff working with us to make this happen. >> Mayor Adler: Council member kitchen. >> Kitchen: I want to thank council member alter. This was generated from an idea that she raised a while back and

[11:41:51 AM]

wanted to thank her and my co-sponsors on the iconic venue resolution. Thank you. >> Mayor Adler: Great. Let's take a vote on this item no. 5. Those in favor, raise your hand. Those opposed. I'm seeing all the hands raised from the people that are here. Council member Renteria is off the dais. Others voting aye. Let's see if we can pick up item 28. Council member tovo, help me understand -- >> Tovo: Sure. I would make a motion. Mayor, I'm going to move approval of draft two as posted in the back up with the amendment that I circulated this morning, which amended council member Casar's language. It's gone through multiple iterations now and I can explain that in a minute. And I'll also include council member kitchen's amendment and I would like to strike the extra

[11:42:52 AM]

word "Around." >> Mayor Adler: Okay. And then council member alter's amendment. Is that included in your motion as well? >> Tovo: Yes. I forgot that one. Yes. >> Mayor Adler: That's okay. Are all those items in back up at this point? >> Tovo: If by back up you mean on the website, I don't know that they are. We just got council member kitchen's and I'm not sure about the ones that circulated this morning. If I get a second, I can quickly run through what they are. >> Mayor Adler: Council member alter seconds that. And for the record so people can find them, I think we do need to get the clerk to put them into the back up so we can see them. But recognizing we now have 17 minutes and we're trying to get as much through and there's agreement on all these, just enough, council member tovo, to be able for someone reading the record to follow it.

[11:43:53 AM]

>> Tovo: As I said we're working with draft resolution two. Council member Casar had put some amendments on the message board. Council member Casar, thank you for those. I made some amendments to those. You suggested some additional language wording today. I've incorporated that into the amendment I circulated today. It is noted this morning as council member tovo's amendments to council member Casar and dated April 8 rather than April 7. So that's the way you would know the last version. I made an error in this and I have an extra word "Around" so please strike that. And the only thing I did to change your language of this morning is to add the languages. Thank you for these. I also am happy to accept council member kitchen's words to include response planning after ensured. Also engagement with each community to ensure adequate

[11:44:55 AM]

response planning -- well, actually, all of what we're doing is response planning so I thought that was working into the sentence in a way that set up communications personnel transportation, and supplies, and resources. I think I would just have it in there with each community to ensure adequate response planning with regard to communications. I think I need to add that. And council member kitchen has her hand up so maybe she wants to jump in there. >> Mayor Adler: So I understand what you said. You're saying it's okay but the words in regard to after the words response planning. >> Tovo: I'm happy to accept these amendments because I want everybody to feel invested and like we are highlighting the right elements. I would say the whole purpose of the resolution is -- hang on a sec -- this is a community-driven process of

[11:45:56 AM]

response planning and there are references in line 60 to the importance and the imperative of having those be multilingual resources. You know, some of what we're adding does already appear in the resolution. I'm happy to add it. But we need to -- the whole purpose is response planning. We've got to tinker with that language a little bit, council member kitchen. >> Mayor Adler: The motion is to approve the draft two, posted in back up and noted on 4-7 plus the tovo proposed amendments which is posted on 4-8. Plus the alter amendment, which is shown being posted on 4-8. Plus the kitchen amendment, which is not posted yet but was on the message board here this morning, Ann? >> Kitchen: Yes, on the

[11:46:58 AM]

message board and I know Katy is about to send it around. >> Mayor Adler: It's the one that's on the message board except that the one word change that council member tovo is proposing where it says response. Add the words -- >> Kitchen: >> Tovo: Yeah, I have a better discussion. Engagement with each community in response planning to ensure adequate communication, et cetera, et cetera. >> Mayor Adler: Okay. >> Tovo: That's where I really think it belongs. >> Mayor Adler: I think that fits there too. So I think the record's pretty clear on that. Was that enough to get it for you? >> I'm hoping that the lawyer who's got this is listening as well. I believe I understand. If you could do the kitchen one one more time. >> Mayor Adler: The kitchen amendment in its entirety with the change that you wanted to

[11:47:58 AM]

make. >> Tovo: I will. Yeah. At line 128 there would be the insertion of a new be it further resolve clause as it appears on the amendment sheet distributed this morning April 8, which was council member Casar's amendments with my edits to those. And the language would read as such: The city's effort should include not only the necessary facilities planning but also engagement with each community and response planning to ensure adequate communications personnel, transportation, and supplies, and resources. So from the amendment sheet I distributed this morning dated April 8, 2021 we are adding the word "In response planning" after community and we're cutting the word "Around" before communications. And that's that. >> Mayor Adler: That sounds

[11:48:59 AM]

good. I think that's very clear. All these are in back up. We need the clerk to put what was circulated as the kitchen amendment in the back up. Anybody object to any of those amendments being added? >> Tovo: And I am going to have super quick comments. >> Mayor Adler: That is fine. If it's okay with you, council member tovo, I would also like to be shown as a sponsor of this item. Thank you. Council member alter. >> Alter: Thank you. I appreciate council member tovo bringing this forward and I'm proud to co-sponsor it. I do want to speak to my amendment, because I think it is important. My amendment just amends the whereas clause but it acknowledges that in our climate emergency declaration in August of 2019, which I sponsored and was unanimously supported, that called for the creation of communication [indiscernible] Evacuation centers and disaster response hubs during climate

[11:50:00 AM]

emergencies. And so I want to offer some direction to go along with passage of this item. I've posted the direction on the message board but let me go ahead and read it for the record. I would like to direct the city manager to report back to council by may 7, 2021 an update on the implementation of the climate emergency declaration resolution passed by council on August 8, 2019. That's the first part. And the

second part is that once that report is complete the city manager should provide to council a review of which pieces of the climate emergency declaration resolution be fully implemented might have made a difference in our preparedness and our response to the winter storm. This review can be offered as part of the after action report for the storm if the city manager prefers. So, again, we called for this work in August of 2019 and had it been in place, it would have

[11:51:03 AM]

served us well. Whether the city can get stuff done within that time-frame remains -- you know, is a question. But I just think it's important, you know, we need to move this item forward but we have had prior direction leading to this and I think in reviewing the climate declaration there are a lot of other pieces there that speak to some of the things that are relevant for the kind of climate emergencies that we experience when we have an extended cold period and storm like we had this winter and we need to make sure that we are taking the actions that we have directed. I didn't put this in the -- in this direction but I will just note that the climate resilient infrastructure plan also has a whole bunch of things as does the emergency operations plan that were not implemented yet. I don't know -- some of those things the timing may not have been right. I don't want to -- I don't want

[11:52:03 AM]

to judge any of that, per se, but I do think it needs to be part of our after-action report, the one that city manager is looking at. Because if we make plans and we don't implement them we will not be more resilient and we need to learn from this and go back and take the lessons of stuff we have already planned and we have already notified and advance them moving forward. Thank you. >> Mayor Adler: Manager, are you okay and understand that direction? Are you okay with it? >> I am, mayor and council. Thank you for that. >> Mayor Adler: Council member Fuentes. >> Fuentes: I took my video off instead of unmuting. First, I want to thank council member tovo for inviting me to co-sponsor this resolution. It is very important to my community. My community is a resilient community and has been through several natural disasters and

[11:53:05 AM]

historical flooding event. To echo and build off of what council member alter is saying, there is a real need coming from the community to see action, knowing that this council took action over a year and a half ago, calling for the creation of community resilient hubs and a year and a half later we were in a disaster and did not have those created. It is not okay that we are letting this type of policy go by without actual tangible movement on it, especially when our vulnerable communities are at risk. Lives are at stake and so I really hope that when we look to move forward on this particular resolution and

with the additional guidance from council member alter on having an update in may on may 7, I just want to echo my support. You heard today on citizens communication several members from my community -- and this isn't the first time they vocalized to me that council

[11:54:05 AM]

passes resolutions and nothing gets done. So I really hope to be part of the council that brings forward that action that shows that we are making good progress on the needs of our community. And so I think this resolution again -- thank you, council member tovo for your leadership on this. I greatly appreciate it. And I also just wanted to draw attention to the need for multilingual communications and utilizing our emergency text response services. That is absolutely critical. We are living in the digital age. We need to be able to access all of the tools at our disposal and use them and not just send one text message or one communication, it has to be ongoing and with updates and timely information. We were able to set up a hub in dev springs, we set up an overnight shelter right in the heart of dove springs but you heard today from callers that they didn't know about it, they didn't receive information. It was there. So we are making some improvements but there's a lot

[11:55:06 AM]

more ahead and you can count me in on that work. So, thank you. >> Mayor Adler: Thank you, council member Casar and council member kitchen. >> Casar: I would like to add my name to the important work and I appreciate the amendments getting incorporated in and I wanted to speak to those. I know we're going to talk a lot more about this as we go through our winter storm sessions but as we prepare to go through those sessions, I want it to be known and clear how much we appreciate all of the staff and volunteers that stepped up to do what they did. So many people slept overnight at the eoc, slept overnight at city hall, made huge sacrifices during the storm to save lives and keep things going. And I don't want -- when we bring up the critiques that we do need to bring up, for it to go unheard or some feeling of

[11:56:07 AM]

not appreciation. I think that is unanimously felt across the board on the dais. But I think it is really important and part of why I really wanted to call out not just the facilities planning was because in so many of the warming shelters we had so much -- there was so much prework that clearly needed to be done that in my view was just not fully -- that was not there. You know, there were members of my staff that were making sure that when bathrooms went down in a warming center that we were calling tds, who was shipping port-a-potties to these centers. I appreciate them stepping up and doing that but it shouldn't be city council aides making sure that there is bathroom facilities at our resilient hubs.

Sometimes not knowing who the point person was at a warming shelter so nobody at the eoc could tell us if there was water or not. I on foot went to the warming centers to find out if there was enough water and what we found

[11:57:07 AM]

out was there weren't blankets and so neighbors in their houses without power, walked over with me with blankets to the warming centers. Again, I don't see these things as a critique of the excellent and hard-working volunteers and staff that sprung up to get things going but it's also important for it to be better next time for us to really call out that just having the buildings isn't enough, that we really need the communications and the personnel and the supplies and a tracking system so that we can do this much more efficiently next time. And so I really appreciate the sponsors here who are really elevating this early on as a part of the conversation, because it's something we have been talking about for years and now I think more than ever we can very clearly see why these resiliency hubs are so critical and why, as council member Fuentes just so perfectly stated we now have an opportunity to show some real action and really

[11:58:08 AM]

get this done because I think folks can see, one, why they're so important and then, two, how much work we have left to do to really make these the kinds of hubs that many people who really need them could really utilize. Because frankly on my part I'll just say now sometimes I was worried about communicating to too many people that these hubs were available because we didn't always know if we had enough people or supplies or support at a place to get to people there. And then sometimes one of them in my district closed down and half of the staff that I spoke with thought it was still open and half didn't know that it had closed. It's those sorts of things that, again, I just think we need to reflect on while it's fresh so that we can get it right. Again, with the deepest appreciation for all of the work so far. But part of our job is to critique ourselves and then do better.

[11:59:11 AM]

>> Mayor Adler: [Indiscernible] And council member Renteria. Kitchen first. >> Kitchen: I just wanted to very, very briefly speak to my amendment to insert response planning. City manager, I wanted to speak to it just to make a point. I think that council member tovo, I agree with her that she has reflected that in her resolution but I wanted to make a point of it and the point just is that I wanted to ensure that the community and neighborhood organizations are engaged in the response planning as well as the actual creation of the resilience hubs. And what I mean by that is we all know that the community and neighbors have a role -- should have a role in both planning the resiliency hubs, how those hubs are

actually deployed during emergencies, and what their role is as neighbors in the response. So I think that's the piece that maybe has been missing is the role of neighbors and the

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response and connecting that all together. And so I appreciate the resolution. I think it encompasses that. I just wanted to make that point to you, city manager. So, thank you. >> Mayor Adler: Council member Renteria. >> Renteria: I was very disappointed -- I also want to be a sponsor, by the way -- when I read in the Wall Street journal about these corporations that made a killing off of it, how they planned two weeks ahead of time knowing that this cold front was going to come through and brought in trailers, bought extra generators, they made sure welders were on hand to make sure if any pipe busted. I mean, two weeks ahead of time before the storm hit us and they ahead of time before the storm hits.

[12:01:12 PM]

They walked away with hundreds of millions of dollars at our utility customers' expense. It was very disappointing that -- when I read that -- very alarming to me -- that through these -- these for profit corporations that came in to -- that had plans -- had planned for this whole event to come, and was able to -- because of their planning, was able to walk away with hundreds of millions of dollars. Of profit that they made off of us. You know, this is -- this is the kind of things that cities should have been ready and prepared for. And the power plants. I mean, when they had trailers coming in and hiring welders and all kinds of specialists to stay there on site, and we -- here in Austin -- had not planned for something like this to

[12:02:13 PM]

happen. I know it's once in a lifetime. But we have to really take it very serious when these events are announced and to prepare and -- and it just caught us all unprepared. And -- I was very disappointed because, you know, the -- the promise of rolling out didn't happen. The -- the rolling blackout didn't happen. And then the message that was put out that we're going to be -- back online on Tuesday, that didn't happen. And these kind of messages that relays out to the public, they believe it. And they will say, "Okay, well, we'll just -- they'll be out the next day, we can just hunker down and spend another night." And it didn't happen. That's -- that was the disappointing that -- that if we're going to send that message, you've got to make

[12:03:13 PM]

sure that it actually is implemented and done the right way. Or else don't say anything. Just say this is the shelters that you have to -- that you have to go to and announce that. Plus, you know, they said that they put that message online. Well, when you don't have energy, you don't have electric, you're not going to be able to know what's going out there. I had to get my old transistor radio to see what was going on, spending hours in my car to charge up my cell phone to community with my staff. We really, you know, dropped the ball on this one. I hope that management takes this very serious so it doesn't happen again. Thank you. >> Mayor Adler: Thank you, anybody else want to address this? Councilmember tovo. >> Tovo: Thank you, colleagues, for all of the support and comments and all of the previous work which I'm going to talk about

[12:04:14 PM]

really quickly, but in just a second. I did want to say, councilmember alter, I really liked your direction to the manager. I think it's really important to look at, as we do our review and the auditor does their review and -- and the city manager does the after-action review, I am really interested to know what of some of those previous plans have been implemented and I just want to call my colleagues' attention to exhibit a on our work plan, does specifically ask not for the same -- it doesn't duplicate the -- the work that the -- the direction that councilmember alter just provided, which I support because it is also really important, but it does ask, as we go through each of those categories, it does ask you, city manager, as we're having that council conversation, to please let us know in each of these areas, Austin energy, Austin water, eoc, how -- how -- how recommendations from the

[12:05:15 PM]

2018 climate resilience asset plans for city operations were implemented before the storm. I do think that's a conversation that we're going to have as we're having those work sessions, I think we'll all see that we can't cover all of the topics in exhibit a. That may be something that happens in the after-action report rather than in the conversation. I think it is important that we look at the planning documents and see which of those were implemented. I wanted to say just a couple of things about the resolution and to give some really important thank yous, again, I will make it quick, but I do need to talk about it a bit. First I want to say this was work that my office had undertaken quite a while ago and was actually a resolution that was in progress and almost -- almost complete prior to the winter storm. And it's kind of partner work is coming forward soon through [indiscernible]. I say that because I think it's really important to recognize that it builds on

[12:06:16 PM]

a lot of other good work, but also that it is -- it is work that we've had in progress for a long time, but we all got a really up front, very vivid view of how resilience hubs, getting those actually from the planning documents into life could make a difference in an emergency such as the one we had. There were -- I know we all were going in so many different directions during that and we had tremendous work from our city staff doing, you know -- keeping -- saving lives through the work that they were doing. I hope that our review process and after-action report will be an opportunity for all of us on the dais, but also in the community, to understand better what some of those examples were. But there were also lots of individual efforts to try to -- to try to fill some of the gaps that our community members or that councilmembers saw. One of them relates really closely to this and that was, you know, as we were in

[12:07:17 PM]

day 2 or so of no electric and many -- in many of our communities, several councilmembers and I talked with our city staff and then I spoke -- I just made a phone call to aid and said, "Hey, are these schools in these different neighborhoods where we had outages, are any of them still online?" And that was how, in collaboration with councilmember alter, kihen, Poole and others, what some of those areas that weren't yet served by warming centers, that was one of the ways in which we were able to get warming centers at Joycelyn and Lee and Murchison, I believe. I think that we have already seen the power of those facilities which are in community neighborhoods. Some of those our eoc had set up and other partners set up. There were communities in my district, in Clarksville, Travis heights, where we couldn't locate another facility that still had power. This kind of planning is

[12:08:17 PM]

going to be critical to make sure that we are well prepared to meet the next crisis and that we're doing so with -- with -- with absolutely in a community-driven process. We've had, thank you, colleagues for our conversations about how important the community role is. It is -- the whole purpose of -- of the resolution and of resilience hubs is to really center the role of community. I cited, as did councilmember Casar, the work of the urban sustainability network. Their paper on resilience hubs is title shifting powers to communities and increasing community capacity. This is work that has to be community driven, both in terms of the process, identification of the needs and forming the network of response that allows those needs to be met. As we saw with the winter storm, that has got to be a hyper local response. Thanks, I know I'm going to kind of shift to my thank yous. Thanks to all of the speakers who came down today, for the work that they are doing, not just for

[12:09:19 PM]

their feedback but for work they are doing to develop a resilient community and their work in -- gavaz leadership in dove springs has been tremendous and will be a great model for us as the city moves forward and working with our community partners to build resilience hubs. The resolution today as others noted definitely builds on the work others have done. Including the work of our city and our city departments. And, of course, the work of gave, the work [background noise] This council has provided previous direction and planning recommends additions as has been cited, thank you councilmember pool, your work on the community resilience planning has been really foundational for this, as has councilmember alter's climate emergency resolution which is called out as well in the resolution. I want to thank a minutes and thank Shannon hilly. A senior policy advisor on my staff and has been since

[12:10:19 PM]

2011 with the exception of the period where she went to work for the Austin water utility on climate in their climate resilience planning. She actually worked to help develop the -- the document, the climate resilience action plan for city assets and operations along with great staff across our city. And so she has from that point really continued -- continued her interest in resilience and it is her idea to really look to schools as one of the community facilities. So I want to thank her. She's done tremendous work on this resolution, in partnership with lots of other folks, including Ashley Richardson in my office as well. But they have -- Shannon has met with the Austin water utility, the pecan street project, aid, gava, Jim walker at UT's sustainability program, our office of sustainability who is critical and done some critical foundational work in this area as well, watershed protection and

[12:11:20 PM]

many other leaders. We have not gone through in this resilience hub resolution and listed out all of the resources that need to be part of that resilience hub. That is intentional because, again, this work has to be driven and led by the community and so I'm really excited about that process. I think one key difference in this resolution is that it does have some pretty clear timelines. So with the passage of this, we are directing the manager to [indiscernible] Come up with a plan and a funding for six pilot resilience hubs. And provide us, by June, with a plan for how we will roll-out resilience hubs within walking distance of every neighborhood in this city. Some communities have done considerable work on this front. As I mentioned in dove springs and other communities. But I know in the aftermath of the winter storm many of our neighborhoods are now talking about doing this kind of community planning. As I look at our boards and

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commissions recommendations many of them are pointing to those kinds of programs, too. So the time is really right, I think, while all of us have that emergency in our mind to really look to those city facilities or public facilities or community facilities and see how we can equip them to really -- equip them to really have the kinds of resources in place that we need. These are also going to be resources in times that are not emergencies and crises and will serve as community hubs [background noise] To provide needed resources to community members. All the time. Some of them already do, of course, our schools have been community schools since that movement that started here in the 1970s. And a lot of our places of worship also serve in that way. So this is really just enhancing what is already a wonderful asset that we have here. So I think that's -- I think that's it. I appreciate again all of

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the -- all of the work that has gone into this and really the partnership with the community and moving this forward into >> Mayor Adler: Okay. Let's go ahead and take a vote. Oh, manager? >> I just wanted to appreciate the leadership of councilmember tovo on this and engagement of all councilmembers on this critical conversation. As you know, we went through this historic storm, and through the following week and months ahead, we'll be doing a comprehensive after-action discussion to talk about the lessons that we've learned, and the fact that we can and must do better in the future. This lays out a blueprint of one of those areas and I really thank you for this engaged discussion. Appreciate it. >> Mayor Adler: Okay. Let's take a vote -- let's go ahead and take a vote. Everybody in favor of this item 28, please raise your hand.

[12:14:25 PM]

Those opposed. I see it being unanimous on the dais. It is now 12:14. So let's go ahead to the three speakers we have on citizen communication. When we're done with that, let's see if we can take care of the Austin housing finance committee corporation item so we can let that staff go. And then we'll take our lunch break. If the clerk would call the citizens communication speakers for their three minutes. Thank you. >> Sure. The first is Ty Wagman.

[12:15:28 PM]

Julie o'connor? >> Hi. Good afternoon, everybody. My name is Julia o'connor. I'm a registered nurse, and I want to share a story about what happened to me on a Saturday last month. I was jogging home from work at a vaccination clinic, and while I was sitting at a red light at the intersection of I-35 and 7th street, I saw a homeless man talking to the cars in front of me. When the light turned green I started to proceed through the light. As I passed him, he struck my side mirror with a stick. And shattered the

mirror. I stopped my car, and I sat there, I was pretty shocked. I pulled over. There was a Wendy's parking lot right there, and I called 911. And as I was sitting there in my

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car, waiting for the police to come, I realized that this man was also in the parking lot harassing other cars and banging on the windows, on the Wendy's drive-through mirror. During my wait for the police, it felt like an hour, this man approached my car again. Some of his words to me were, I will crush your skull, you blankety-blank whore. I can't speak those words, but you can guess. During his violent rage, I provided the help that I think he needed, which was unsuccessful. The police questioned him and released him back on the street. I'm heart broken to see what was once the best city in the state is now mounds of filth, vagrant trash, squalor, human waste,

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discarded needles, roaches and rats. If the city of Austin were my hospital unit, if the city of Austin were my floor, I would be fired and I would lose my license immediately. For mismanagement and compromising patients' safety. How ironic that I'm working to keep our city safe, that my life was threatened and my property damaged because of your complicit and negligent disregard for my safety by allowing homelessness and crime to overtake our city. By the way, I think it's those who voted against the camping ban, Adler, harper-madison, Fuentes, kitchen and Ellis should each reimburse me to pay

[12:18:33 PM]

for the cost of my mirror. I have submitted a bill and hope you will reimburse me for this, which by the way, won't cover the emotional cost I've had to endure since this happened. (Indiscernible) As she looks upon -- >> Speaker, your time has expired. >> Mayor Adler: Thank you. Next speaker? >> Next speaker is ky (indiscernible). >> Hi. >> Mayor Adler: Go ahead. >> Mayor, we lost the speaker.

[12:19:34 PM]

If you can give us a minute. >> Mayor Adler: Yes, go ahead. >> Okay. Ky Wagman. >> Sorry. I don't know what happened there. Yeah, thank you for listening to me today. I'm calling about insurance companies mislabeling the cause of some damage. As you are well aware we had a cold event in February, and millions of Texans lost power. This loss of power caused damage in homes all over Texas. It is my belief

that the cause of that damage is the loss of power. But it's being labeled as being caused by cold damage. And since it's labeled as cold damage, insurance companies are able to deny the claims in many

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cases. I looked at going to the Texas department of insurance to try to get them to help me. Unfortunately on their main page, they have a statement that reads, we can't settle disputes when you and the company disagree about facts, for example, we can't determine whether damage is caused by a storm or normal wear and tear. That made me think that would be frivolous. So I did not do it. I'm hoping that there's something that you, the city council, can do to help at least the people in Austin get insurance relief by forcing the insurance companies to label the damage correctly as being caused by the loss of power, and not by being cold. That's pretty much all I have. If anybody has questions, I'm more than willing to answer them. And if anybody wants more details, I'm more than happy to talk to anyone directly, you

[12:21:36 PM]

know, to do that. Thank you for your time. >> Mayor, that concludes the noon citizens communication speakers. >> Mayor Adler: Thank you. Staff, managers, Austin housing finance staff with us? >> It will take us a second to move over. >> Mayor Adler: Okay. I'm willing to go ahead and recess the Austin city council meeting here on April 8th, 2021. It is 12:21. I think we're going to try to come back here at 1:30. And we'll see if we can take care of a few items before we call the zoning speakers at 2:00. We don't have that many zoning speakers. At that point that would be for the consent agenda. My hope is at 1:30 is we can

[12:22:38 PM]

tackle the pulled items and come back at 1:30. And then we would move then in to hear the speakers on the zoning, do the consent agenda, continue with the pulled items, and the four nonconsent items that I think are going to be relatively quick. And that will get us then into executive session. Okay. And I see rosey is with us. So I'm going to then convene the [music playing]. >> This is Mandy in -- >> Mayor Adler: Hang on one second, Mandy. I'm going to convene the meeting of housing finance corporation, it is 12:23, still April 8th, 2021. Do you want to take us through, Mandy, our consent agenda? >> Absolutely.

[12:23:39 PM]

Mandy Demayo, housing finance corporation. There are two items related to each other on the agenda. We did hear three speakers earlier who were residents of the properties that are affected. This is related to a property known as Arbors at groupside. Two items that a is to purchase the limited partner interest and the other is for needed repairs and some operating expenses. Item number 1 is 1.25 million, number 2, 250,000. These are both related to affordable property owned by affiliate of hhsc. The property is 176 units, senior housing development. That was placed in service in 2001. And we are repositioning the property for recapitalization and some much-needed repairs. I'm happy to answer any questions. I do want to thank the residents

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who spoke earlier, as well as hasta, who has been working closely with the tenant association. >> Mayor Adler: That's good. Is there a motion to approve the concept agenda, both items? The vice cir of the board, harper-madison, makes that motion, seconded by director Casar. Any discussion? Yes, director tovo? >> Tovo: Thank you. I had a quick question for staff. And then a couple of quick comments. Mandy, is it accurate that there are about \$750,000 worth of necessary repairs to these apartments? >> So, that is our estimate at this point. There are actually some significant long-term capitalization needs, putting this into two different priorities. One is more short-term repairs, and then one is more long-term approach. So we will be looking to recapitalize the property, with a tax credit [inaudible].

[12:25:42 PM]

>> Tovo: Thank you. So actually, I think there was some conversation before about how long there had been issues at the property, and I actually -- my staff and my office have been in communication with residents since, I think, about 2013 when it was under the name primrose apartments. Before hasta -- before we had hasta as the wonderful community partner they are now, empowering tenants, and working with them to advocate on different issues. So, you know, I fully support the purchase. I do want to say, I want to highlight this for a couple reasons, for a couple of examples. I think this is a really important purchase, and I so appreciate the residents who came today to speak to their experiences there, and the real needs. We had several resolutions regarding creating a (indiscernible) For family members. I believe councilmember Casar, you did one as well. I think the response from

[12:26:44 PM]

housing was that was not their preference for investment of bond dollars. I think it's still a very viable conversation that we should have as a council about whether we should be investing in multi-family apartments. I would still like to see us do that with our bond dollars. This is a test case, where we are purchasing the ownership pieces that we don't currently own on this property. So that we can have

more control. And really, have an enhanced -- enhanced level of maintenance, but enhanced quality of life and standard of apartment for those who live there. So this is a good example for that reason. I am a little concerned to better understand that we have these relationships, and the city is actually a partner. I sure hope we can -- when there's such a long history of issues, in terms of the quality of that housing, and the need for repairs, I hope we can figure out solutions earlier. Because it seems to me that a lot of that big bill for

[12:27:47 PM]

750,000, maybe more, dollars, might have been avoided with earlier action. So I'm not faulting, I think our housing department has long been super supportive of those residents and their need for better maintenance, but hopefully we can figure out how to get a solution to residents. >> Absolutely. Councilmember tovo, that's an excellent point. I do want to remind folks that ahsc, an affiliate are partners, either general partners or managing members of 10 different partnerships, affordable housing development. It is one of the earliest partnerships. This was in 2001. It actually was our second partnership. And what the action today is allowing us to do, to buy out the investor partner, is to

[12:28:47 PM]

maintain greater control of this development. So it's the first in multiple steps where we will be recommissioning the property, doing capital improvements into this property. I will say that our partnerships have greatly improved over the years. And we are incredibly selective in terms of who we are choosing to partner with, for some of these very reasons, and lessons learned. I think this is just a really important transaction that we're going to be moving forward with, and yes, you are correct, that there have been some issues with the property for a time. And again, this is the first step, in multiple steps, to really make some major improvements. With the asset >> Thank you for that contact. >> Mayor Adler: Anything else before we take a vote on the

[12:29:48 PM]

consent agenda? Those in favor of the consent agenda, raise your hand? Those opposed? I think that is all of us. >> Mayor, councilmember Kelly is not on the screen and councilmember Fuentes is off the dais. >> Mayor Adler: Thank you for pointing that out. Councilmember Renteria. >> Renteria: Mayor, what Kathie had brought up, councilmember tovo brought up, I think that we need a public hearing on, you know, what are we doing with the bond and how we can work with the city and if there's a possibility of maybe using bond money or also to -- to put some of these older departments that we talked a lot about it here about three years ago, I know that there's a program out there

[12:30:49 PM]

right now, a non-profit, that is implementing that. So really interested in maybe finding out a little bit more. If we don't want to have -- maybe have one of their public -- the housing to find out exactly what is going on and how we can really implement that city-wide, where we could really help out. You know, these are older apartment, tax credits are coming up. I can see that those units are losing (indiscernible) In the market. >> Mayor Adler: Thank you. Councilmember tovo did you raise your hand? >> Tovo: I was thinking that might be a conversation for the housing committee potentially. >> Mayor Adler: Okay. >> And I do want to assure councilmember Renteria that we are having also conversations

[12:31:51 PM]

with affordable central Texas which is a non-profit that oversees the private equity fund. Specifically about alignment with "Protect connect" and the acquisition of the existing multifamily properties, potentially with expiring tax credits. I think that would be a great conversation at the housing and planning committee. I would welcome that. >> I really appreciate that. >> Mayor Adler: I would like to work with the Austin housing conservancy, I would like to see that well. With that it's 12:32 and I'm going to adjourn the Austin housing and finance corporation meeting. Colleague I'll see you back here in an hour at 1:30, and we will see if we can handle some of the items before we call speakers at 2:00. Councilmember tovo? >> Tovo: I was going to say if none of the non-consent items

[12:32:53 PM]

are quick ones? I don't know if there's conversation around -- >> Mayor Adler: I don't know. I kind of looked at those. I can't tell if the domain is going to be something that people would want to talk about. There were several of them. And really that's all we have so it's lot of people -- let's go ahead and come back here at 1:30 and we'll pick it up then. Bye, guys, take care.

[in Recess]

[1:36:33 PM]

>> Mayor Adler: This is the awftip city council meeting. April 8th, 2021, being held remotely. We have taken our lunch break now and we're back. We want to make sure that we have a full house to the degree that we need them if it impacts the vote. I think we're missing right now Leslie pool and Greg Casar. Item number 34 is the franchise for the city ambulance service. And is there a second? Any discussion? Let's take a vote. Those in favor please raise your hand. Those opposed, everyone on the dais, Kathie, you want to vote?

[1:37:35 PM]

Those voting aye with councilmembers tovo, pool, and Casar off the dais. It passes. Let's pick up items 30, 31 and 32. Being non-consent items, is there a motion to the effect that the city council of Austin authorizes the use of the power of eminent domain to require the properties described in the agenda for the current meeting for the public uses described therein. And a motion to pass items 30, 31 and 32. Councilmember Ellis makes the motion. Councilmember Renteria seconds. Any discussion? Let's take a vote. Councilmember Ellis? >> Ellis: I really appreciate my constituents talking about this today, and Mr. Robins.

[1:38:37 PM]

I wanted to make sure that there were comments about the concrete plant going on near this project. I want people to know that we have heard the concerns of the community and we have been collaborating with the representative Goodwin's office to have some of those concerns addressed and to really to understand the full nature of that particular decision in conjunction with acce. So what's ahead of us today is eminent domain items for the water utility relocation which as we talked about on Tuesday is about the Austin water being able to repair and replace the water lines outside of the right-of-way of a highway project. And so because they are, you know, different issues of the same project, I'm supportive of moving forward with the water utility relocation, knowing full well that we will continue to be involved as many others are in this area about the concrete plan. So those conversations are

[1:39:37 PM]

ongoing and they will continue. You have my commitment and my team's commitment to work through some of these concerns and to really understand what can be done and what decisions are left to be made. So we do hear those concerns and will move forward with you to address those problems. >> Mayor Adler: Any other comments? Councilmember kitchen? >> Kitchen: Yeah, I just -- I just want to let people know that I'll be abstaining on these items. I've had concern for many, many years on the plans for the oak hill area, and I just -- I just can't support this with the situation we're in right now on where

oak hill is. I'm hopeful that the txdot could come closer to what the numbers want to see in that area. I do respect and appreciate all of the work that councilmember

[1:40:38 PM]

Ellis has done. She's been working hard for her community. So I want to say thank you to her for that. For me at this point I'm going to just need to abstain. >> Mayor Adler: Okay. Councilmember alter. >> Alter: Thank you. I just wanted to offer to councilmember Ellis if we could be supportive of the efforts that you're engaging with on the concrete plant issues to make sure that the neighborhood's concerns are addressed. And that we are not introducing environmentally dangerous chemicals, etc., into our community. I would be happy to support you in those efforts. I'm going to vote for this today because I think this supports our utility network. I think that the larger questions are better addressed in a different format. Thank you.

[1:41:39 PM]

>> Mayor Adler: Okay. Second vote. Those in favor of this item please raise your hand. Those opposed to the item? Councilmember Kelly is voting no, councilmember kitchen is abstaining. Kathie, are you available to vote? Okay. And then we don't have councilmembers Casar or pool with us. So -- >> I am sorry, I think that I have now been unmuted and thank you to ctm for doing that. Would you mind clarifying -- I lost you there for a bit. Can you clarify which issue we are on and what the motion is on the table? >> Mayor Adler: The motion is to approve items 30, 31 and 32 which are the three eminent domain items. >> Thank you, I wanted to clarify and I heard some of the clarify and I assumed that it was. I am voting no on those, thank

[1:42:40 PM]

you. >> Mayor Adler: Councilmember Casar, how are you voting? We had couple member Casar a second ago. But it still passes. I have two against, tovo and Kelly one abstention in councilmember pool. There are seven votes in favor. Councilmember -- I mean six votes in favor. Councilmember Casar, how do you vote? >> Casar: I wasn't able to hear the debate because my internet was off so I don't think that I can vote on this one. >> Mayor Adler: Does this pass with a six vote majority or does it need to come back? >> It does, mayor. It's a resolution so it passes with six votes and I believe that councilmember kitchen who abstained on the item and councilmember pool is off the dais. >> Mayor Adler: All right. So I count six votes in favor. One abstention. One off the dais. And two voting no. Is that right?

[1:43:41 PM]

>> I think that you have two off the dais because councilmember Casar was not able to hear because of the internet. >> Mayor Adler: Correct. Two off the dais. So I think that vote count is six in favor -- well, six in favor, two voting no, two off the dais, and one abstention. So it's six and then 2-2-1. The item passes. All right, so then let's -- I think that gets us here to -- I think we have handled everything except for the F.A.R. Related cases. So let's call those in turn. And I'm going to call Jerry up to bring each in front of us. We have the applicants here. >> Mayor, I still haven't gotten the questions that needed clarification in the Q and a. There were inaccuracies and I'm

[1:44:43 PM]

waiting to have those clarified. >> Mayor Adler: You are in a place to clarify those questions? >> Mayor, I believe that I just received a response from some members of my department, and I spoke to councilmember alter's aide a moment ago and I believe that he's trying to reach out to them to work through the numbers. >> Mayor Adler: So does >> Mayor Adler: Does that mean we're not in a place to take up 10, 11, 4 and 12 at this point? >> From the staff side, we are, mayor, except for the fact councilmember alter asked questions and we responded yesterday, I spoke to her aide yesterday evening and he had questions about the numbers, and so we've been trying to this morning work through the differences in those numbers. So that is happening as we speak. >> Mayor Adler: Do we want to take the moment, councilmember alter, to lay out the cases and hear from

[1:45:43 PM]

the -- >> Alter: Sure, if you want to lay out the cases, that's fine. I'm not going to be comfortable voting until I can get accurate numbers from the staff on what we're voting on and the variations that our included as I laid out in my questions. Trying to understand what the bonus means in practice relative to what is required and relative to what they are offering, et cetera, and being able to look at it also across the three -- these are very basic questions and I don't have accurate answers yet, so I won't be able to vote for it until I at least have the answers that I have requested. >> Mayor Adler: Let's go ahead and lay it out and let's have this conversation. Certainly we can decide in a moment whether we're in a position to be able to vote or not. So Jerry, do you want to lay out out number 5?

[1:46:44 PM]

>> Item 5 is handled by -- I believe you are talking about -- >> Mayor Adler: I'm sorry -- well, we can do 11 and 4. >> Item 4 is I believe being handled by the transportation department. It is related to the Rainey items, but it is an alley vacation so it's not something that I'm able to present. But I can present

number 10, 11 and 12. >> Mayor Adler: My understanding is we vote on 4 and 11 virtually at the same time. So we're going to handle them that way. Why don't you lay out number 10. >> We'll do that. Okay. Item number 10 is approve on third reading an ordinance granting additional floor to area entitlements to the project at 82 and 84 north ih-35 service road southbound in accordance about the downtown density bonus under 25-2-586b6.

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Just to walk through the numbers, this is a .4-acre property. They are requesting to go to a 21 to 1 floor to area ratios. What the applicant is proposing is floor the F.A.R. Over 40 feet, the Rainey street density bone nuns program kicks. It it would kick in up to a F.A.R. Of eight to one. The program requires onsite affordable housing as a level of 5% of the units at 80% mfi. For this project for up to eight to one Florida, 5,421 square feet of affordable housing. For the portion that would be between eight to one and 15 to one, they would comply with the downtown density program which allows for a fee in lieu option, providing \$425,000 for a fee in lieu of.

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For the F.A.R. From 18 to one to 21 to one, I'm sorry, 15 to one to 21 to one, which is where the council authority kicks in, which is why this case is before council, up to the 15 to one it is an administrative process. However, for this project they want to go to 21 to one F.A.R., so what they are proposing is for the area between 15 to 1 and 21 to one to go back to using the Rainey street density bonus program. They are not required to do that. That is something that they are offering to do in lieu of continuing the fee in lieu under downtown density bonus. They are suggesting to go back to the Rainey street program for the area under council authority. They are proposing another 3564 onsite affordable housing and additional 272 enthusiasm dollars fee to account for the differences between the downtown density bonus program works and the

[1:49:46 PM]

Rainey street bonus works. They are proposing ten units of onsite affordable housing, \$700,000 fees towards affordable housing. In addition they are required as part of the site plan, not a part of the council approval, but just for information, \$437,000 of parkland fees, \$180,000 of improvements required by the traffic impact analysis and additional \$300,000 in improvements made to an adjacent alley. So it's basically a -- the code requires council approval above 15 to one F.A.R. And what they are proposing is to use the Rainey street density bonus program for that additional area because it requires onsite affordable housing. Rainey street, then downtown density program and Rainey street for the

extra amount. With that I'm available for any questions on this one. Or I can lay out the similar numbers for the other two. It's up to you, mayor.

[1:50:47 PM]

>> Mayor Adler: Is the applicant with us? >> The applicant is Leah bojo. >> Mayor Adler: While she's coming up, councilmember alter, talk about the numbers you are trying to get that you have yet to get. >> Alter: So in the C Q and a I asked various questions trying to understand what each of the tiers meant and for each of the projects and where they went, and there are some numbers in the middle of the answers that we don't think are correct. There were a couple pieces that they corrected, so they -- I mean it gets so much into the weeds, mayor, it's not useful until I get the answer back because I don't know where we're right

[1:51:49 PM]

and where they are right. And my staff is going through it right now with their staff, so I'm not sure it's helpful. People can look at the Q& a and see what specific questions I asked, but without going through it line by line to go over what was right and what was wrong, I don't think I can communicate it in a way that's going to be useful for council. But I think these are basic answers about what we're voting on and getting at each bonus level and they should be answered and in the record properly. That's why we vote on them. >> Mayor Adler: Is this -- and the staff at this point has suggested that they think they have answers to those questions and your staff is determining whether or not that's true. >> Alter: Yes. But I'm on the dais so I can't be reviewing -- >> Mayor Adler: And I see you. All right. It is eight minutes to 2:00. I think we're going to need at least to give Alison a chance to be able to see those questions and talk to her staff. So I'm going to have us

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stand down here. We're going to come back at 2:00 so that we can hear the zoning speakers at 2:00. After the zoning speakers, we can handle the consent agenda, and then councilmember alter, hopefully by then you'll have a feel for whether there's still outstanding questions or not. It's at that point that we'll take the applicants as opposed to now. Councilmember pool. >> Pool: I want to make sure we all get the corrected answers. We had noticed they were not accurate as well, and I appreciate councilmember a littler bringing that to the attention of the dais so we can get that straightened out Z make sure the staff publishers whatever different answers there are in the Q and a. >> Alter: That was part of why I wanted to get it corrected to -- because this is something that we're going to be debating and we need to have the record accurate in what we're looking at moving forward. >> Mayor Adler: That's

[1:53:52 PM]

fine. We're in recess at 1:53. We'll come back at 2:00 and hear zone speakers then. See you in a few minutes.

[In 2nd Recess]

[2:02:35 PM]

>> Mayor Adler: We are a quorum so we're going to reconvene the council meeting on April 8, 2021. We're going to hear the speakers signed up to speak at 2:00. When we're done with that we'll see if we can take care of the consent agenda. For the record, in case it was not clear, item 46 is postponed to April 22nd, in case you didn't hear it was postponed to a date certain. Speakers, when you come up, I understand that item 42 has a request from the applicant to postpone indefinitely and item 48 has a request from the applicant to postpone until May 6th. I anticipate both those things happening coming from the applicant. So I think we might have

[2:03:35 PM]

some speakers on the line to address 42 and 48. You can speak to the postponement if you would like, but it looks like 42 is going to be indefinitely postponed by the applicant; 48 until May 6th. People have the opportunity to address that one on May 6th. If we want to go ahead and call the people that have signed up. >> Mayor, at the moment we only have one speaker that called in for items 38 and 39. Mario Cantu. He has three minutes. >> Hello. Can you hear me? >> Yes, go ahead. >> This is Mario Cantu, chair of south congress contact team. On item number 38, 401 North Bluff that is correct we do support and did send a letter of support to Leah Bojo regarding this property. I want to let you know one

[2:04:36 PM]

of our two concerns was more impervious cover that would be added later on to the back of these residences due to close proximity of the Pleasant Hill tributary, which is a creek. As you know, District 2 does have flooding issues and major concerns in the past, and we want to try to eliminate any of those possibilities in the future. The second thing we also wanted to be able to seal funding for the homeowners association so we were able to get \$5,000 for those individuals that will be moving into

that property for the funding to be used towards the park area that will be shared with other individuals living in close proximity to that as well. Item number 39, 6311 south first street, at this time we do not support that zoning change. And the reason why is we really are adamant about the

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10% fee that we're asking for if we have to make adjustment to the trust fund, maybe that's something we can talk about. But at this point in time, you know, as you just kind of heard earlier about single mom with a kid or two kids, you know, that's the problem that we're having in the city. And then also note that with the lower income mfi, I think that we also have to ask ourselves to -- who do we want living in these units. I mean, we have a homeless situation. We've been treading water on the homeless situation for a long time. And I think right now it's just one big phenomenon. And, you know, it's just a big old bowl of soup where everybody is spinning around and we're trying to find housing and this is one way we can find housing. If we want to make the transition from homeless into a unit with a job and have these individuals be able to move on, this is where we're going to be

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looking at. District 2 is in much need for this as well as every other district within Austin. So these are the reasons why we're sticking to what we're asking, and we would ask councilmembers to recognize that because it's all cultures and life of individuals living within Austin. Thank you. >> Mayor Adler: Okay. Thank you. >> Actually we have another speaker who called in. Karen Kinard. >> Mayor Adler: Thank you. These are not the -- okay, this is on the zoning cases, correct? >> Correct. >> I believe this is the incorrect item. I'm item number 48. >> Mayor Adler: Item 48

[2:07:40 PM]

has been postponed. That's actually not true. Item number 48 is still -- it's been postponed until may 6th. >> Mayor, this is Jerry rusthoven. We have a postponement request to may 6 by the applicant but we have not voted on the item yet. >> Mayor Adler: That's correct. Postponement request by the applicant. You can speak to the postponement if you would like. >> Yes. I think that our client -- Karen Kinard, and I'm here today to represent asher Jean holdings. My client is not in favor of the postponement. They believe the current zoning on the site is appropriate for the types of commercial uses that they would like to see in this predominantly residential area. So they would oppose the postponement. >> Mayor Adler: And who are you representing? I'm sorry. >> Asher Jean holdings, one

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of the property owners that started the valid petition on the zoning case. >> Mayor Adler: It's not the applicant, just a nearby owner. >> Property owner, yes. >> Mayor Adler: Thank you. >> Mayor, we have another speaker, Christopher Zeto. >> Hello. Can you hear me? >> Yes, go ahead. >> Yes, we respectfully request that the council deny the request for postponement for item 48. This is the applicant's second request for postponement. This is a community effort and we cannot keep attending council meetings during working hours. We particularly made our position clear to the agent and he's not been amenable to the proposals. We spoke to Mr. Wittliff and

[2:09:48 PM]

is counter proposal is insufficient and ignores our requests. We have a broad block of support from the super majority of the property owners in the buffer zone, and in our view it's highly unlikely we'll be able to come to terms with him and believes the current provides for a variety of uses consistent with the neighborhood. Therefore, we respectfully request city council deny the request for postponement. >> Mayor Adler: Okay. I think those are all the speakers that we have. Jerry, do you want to take us through the consent agenda? >> The first item, item 36, npa-2021-0015.04sh, postponement by the applicant to April 22, 2021. Related case item 37, this is also a postponement request by the applicant to

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April 22, 2021. Item number 38 is c14-2020, 0142, I can offer this case for consent approval on second and third readings. Item 39, c14-2020, 01334. I request offer this case for consent approval on second reading only. For those cases with the open public hearing, first one is item 40, c14-2020, 0089, this is a staff postponement request to may 6th. Item 41, c14-2020-0146, a postponement request by the applicant to June 3, 2021. Item number 42, c14-2020-0121, we did receive today, mayor, an indefinite postponement request by the applicant on this case. So that's indefinite postponement of item 42. 43 was posted on the agenda by mistake and is being withdrawn by staff.

[2:11:51 PM]

Item 48, c14-2021, 0017, the sunrise mini mart case. We have a postponement request by the applicant to may 6th. Which was received today a little before lunch. >> Mayor Adler: Okay. So it looks like let's pull the postponement off the consent. It appears everything else is consent. Items 36, 37, 38, 39, 40, 41, 42 and 43 being withdrawn. Is there a motion to approve the consent agenda? Councilmember Renteria makes the motion. Is there a second? Councilmember Ellis seconds. Any discussion? Let's take a vote. Those in favor of the consent agenda raise your hand. Those opposed? I see Kathie.

[2:12:56 PM]

Are we missing anybody? >> Tovo: Mayor pro tem, I believe. I'm not seeing the mayor pro tem. >> Mayor Adler: She's here. >> Tovo: I apologize. >> Councilmember alter, I believe, is off. >> Mayor Adler: Councilmember alter is the one that is missing. Okay, on a 10-0-1 vote, the one being councilmember alter being off the dais, the consent agenda passes. Let's consider now the postponement request by the applicant on number -- item number 48. Is the applicant with us?

[2:13:56 PM]

>> Can you hear me, mayor? >> Mayor Adler: Yes, I can hear you. Go ahead. >> Yeah, this is Jim Wittliff on behalf of the property owner. Mayor, the reason I asked for this postponement at the last minute is when we -- before we ever filed this case, we went to the Galindo neighborhood association to discuss the concept of rezoning. Galindo supported it, and in fact gave us a letter which is part of your packet in support. It then went through staff review. Staff supported it. It went to the planning commission, planning commission voted to recommend it. The day before it went to council, a petition came in. Before that there was one person who wrote a letter. I attempted to meet with that person. He sent me a text and said if you step one foot on my property, I'm going to

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assume you are trying to hurt me and I'm going to respond with full force accordingly. So he and I have not spoken. I then got in contact with Chris, who was on the phone a little earlier. He told me -- we discussed it and he says, well, gee, Jim, some of the things you are saying might have affected, it might affect our opinion if you really are going to redo the entire store, but we need to see something. I immediately got with the property owner. He hired an architect, drew up some renderings and we presented those as soon as they were ready. They didn't respond and then they said, well, this doesn't, you know, we haven't seen anything that changes our position. So this morning after talking with the mayor pro tem's assistant, I did file a request for a 30-day postponement because I do want to sit down and talk

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with these people. They told me in an email they would be open to other uses of the property. And so that's all we're looking for is enough time to sit down with the neighborhood. I'm not trying to cram

anything down someone's throat. We would have never filed the request for cs-1 zoning if we had any inkling there would be any opposition to it. When we filed it, there was full support. Now that there's opposition, I'm willing to talk to those people, willing to consider alternative uses, but it takes some time. We have to have a meeting. That's all I'm asking for is an opportunity to meet. >> Mayor Adler: Thank you. Any questions for the applicant? Councilmember Renteria. >> Renteria: Yes, Jim. The -- two postponement requests by the applicant,

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can you give me some more information on what was discussed? >> Yes, councilmember. The first postponement request was we first we heard of the valid petition was one day before the council meeting two weeks ago. So I asked for a postponement so that I would have an opportunity to talk with the people that were filing the petition. I had no way of contacting them. I finally went door to door until I found somebody that knew who the property manager was and gave me a phone number and we talked. So like I said, they asked me for some renderings, some plans that showed how the property would be redeveloped. We immediately got busy, got those done. Of course, it takes more than a day to do a rendering for a commercial property. And presented to them as soon as was available to me.

[2:18:00 PM]

And didn't get any response. I contacted them repeatedly by email, and then they did say, hey, this doesn't change our position. And I said, well, let's talk. Let's talk about what we can do. Got no response. And then as I said, I spoke with Lauren in mayor pro tem's office this morning and she was the one who said, look, you probably should consider postponing this, which I said yeah, I agree. And I spoke with the property owner. He is willing to forego the liquor store idea and he's looking at other alternative uses for the property. He had a laundromat there, but nobody uses it anymore. It's very -- it's become sort of a hangout. He has to have video cameras in there and watch it because if there's one or two customers in there, he's worried about their safety because people are, you know, using it as a hangout. So that's not going to be able to continue.

[2:19:00 PM]

He wants to run a good business and he's willing to put -- he told me \$2.5 million into this project as redevelopment. [Buzzer sounding] >> Renteria: Do you think he would be willing to take the liquor store off the table? >> Oh, it is off the table, yes, sir. >> Renteria: Okay. >> Absolutely. >> Renteria: I move to postpone it so that they can work it out. You know, it's a really active little corner there and I really want to see that some improvements done. And if we -- the opposition that I heard was the liquor store, they felt like there was enough on either side half a mile down either way there's liquor stores. So if we can

go and work with the neighbors, I would go ahead and recommend a postponement. And do you feel that that's going to be enough time for you to work it out? >> Yes, I think that in one

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or two meetings we can reach a general agreement. And I think we're probably a lot closer than they think. I think what they want is just no rezoning of the property. And, you know, we -- I will agree no cs-1 zoning. So I'd like to discuss it with them. >> Renteria: Okay. >> They have a valid petition. If I can't convince them, their petition will remain valid. It's worth a try. I've had valid petitions in the past and we've come down and people file a petition and speak in favor of the zoning after we worked out agreement. I would hope that can happen here. >> Renteria: Okay. I'll go ahead and let Ann talk. >> Mayor Adler: Thank you. Mayor pro tem and then councilmember kitchen and then councilmember pool.

[2:21:02 PM]

>> Harper-madison: Forgive me chair, I didn't have commentary necessarily. I wanted to second councilmember Renteria's motion to postpone the item. >> Mayor Adler: Is there objection to treating it that way? Councilmember Renteria moves to postpone this item, seconded by the mayor pro tem. Lets continue discussion. Councilmember kitchen next. >> Kitchen: I just have a question and my question is for Mr. Rusthoven. What I'm hearing in response to councilmember Renteria's question, if I heard it correctly, I think I heard the applicant say that the -- that the request for the liquor license was off the table. And so my question is, can -- I mean the way I'm reading this is it's a request for -- to grant commercial liquor sales, conditional overlay. That that's the request for

[2:22:02 PM]

zoning. So if that's off the table, can this item come forward with something different than that or do they have to file tonight a different way? I'm hear what councilmember Renteria wants to do and I support that. I'm just not sure if they can do it the way it's posted this way. >> Yes, councilmember, they could ask for anyone what they are asking or anything lower in terms of zoning hierarchy. I will say the current property, the existing zoning on the property is a combination of cs and lr. They were requesting cs-1 that allows for a liquor store. What I heard Mr. Wittliff say he would no longer being requesting that. Ago ass long as he doesn't ask for anything higher, he can ask for something less than that. >> Kitchen: Okay.

[2:23:04 PM]

>> Mayor Adler: We have a motion and second. Any more discussion in councilmember pool. >> Pool: My question to Mr. Rusthoven was along the same lines. If we were looking at the conditional overyay and lay and that was off the table, is there something to vote on and if there is what is it that we would be delaying? >> Councilmember, the motion is on the postponement. But as far as what other possible combinations are there on this property or the building that exists right now, given it already has cs and lr, I can't commit to what staff would recommend until after we saw what they requested. >> Pool: And my question for Mr. Wittliff is the reason this is in front of us is because you were looking to get the approval for the liquor license? >> Yes, ma'am, the original

[2:24:07 PM]

request was to add a small liquor store, 1200 square feet. >> Pool: Right. >> Off to the side of the convenience store. >> Pool: Right. >> The neighbor -- the neighborhood association was in support. The immediate neighbors have spoken very clearly now that they are -- they are not in support, and I'm withdrawing this -- this proposal. We won't do a liquor store. >> Pool: Okay. Well, would you -- >> Talk to them about redeveloping the property. >> Pool: So would this be an indefinite postponement that you would be requesting? >> No, ma'am, it's a 30-day postponement. >> Pool: All right. And then back to staff, it concerns me that we don't have parity between private schools or public schools with regard to the availability of alcohol within a certain distance, I guess it's 300 feet. I would like to look at the

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ordinances and the regulations we have around that so we can maybe getting a level playing field. I have on occasion not voted against allowing an alcohol waiver near an elementary school, but that was only under certain circumstances and basically as a crow flies is way different than how you actually walk there from an elementary school. The distance was in question. But I can see this is a clear conflict between the rules set out for private schools and public schools, and I would like to see a little more of an even playing field. I think the alcohol availability is probably equally unattractive to the parents and the families of the kids who are going to the private schools as they certainly are for public schools. That isn't specific -- that isn't just this case. That's a broader policy issue. City manager, if we could maybe dig into that with our law department folks. Thanks. >> Mayor Adler: We have a

[2:26:09 PM]

motion and second to postpone this. What is the day this would be postponed to? >> May 6, mayor. >> Mayor Adler: Postpone to may 6. Keep the public hearing open. Those in favor please raise your hand.

Those opposed? Those abstaining? Kathie, how are you voting? I think it's -- it looks like everybody voted for the postponement. I'm not seeing Kathie and I'm not seeing Alison. With Kathie and Alison off the dais, the motion to postpone and keep the public hearing open passes. Those are all the zoning cases we have. That gets us at this point back to the F.A.R. Cases. We don't have Alison at this point.

[2:27:18 PM]

>> Mayor? >> Mayor Adler: Yes. >> If I may provide an update, I believe that councilmember alter was meeting with some of the housing and planning department staff and I believe that the other question was clarified and the staff is currently working on coming up with that answer. >> Mayor Adler: Okay. I just texted Alison asking her what the eta was. She had texted me confirming that rather than joining us for the zoning cases she was going to be working on this which is where she's been. Do we want to recess and go back into executive session? We're going to need Alison for that as well. Okay. 2:27. Let's take a break and then we'll come back out here. Pio? >> Renteria: I was going to ask Jerry about the vacation, the aerial vacation, vacate of the

[2:28:21 PM]

alley. And what -- are they going to attach the building over the alley? >> Yes, councilmember, it's the -- it's an item from the real estate department and etd is involved, but yes, that's my understanding an aerial encroachment into the rate of way and they can speak more to the specifics of it. >> Mayor Adler: Let's take a recess here. Let's come back at quarter to 3:00, that's about 15 minutes, and we'll see if we can get ahold of Alison's schedule at that time. We're going to take a 15-minute break and go into recess at 2:28.

[In 3rd recess]

[3:56:49 PM]

>> Mayor Adler: Kathie -- I see Vanessa now. Kathie, I see you. All 11 of us are here. I will reconvene the city council meeting at 356 on April 8, 2021. We took a break and 0 coming back. We are doing this remotely. Councilmember pool wants to change her vote on items 30 to 32. She was off the dais, had sent me a text that I did not see until after the vote was taken and says she was taking back, councilmember Renteria, who voted yes is making a motion to reconsider, so to allow the vote to be retaken, so that councilmember pool can be moved from off the dais to a vote of no. That would make vote six yes, 3 no, one off the dais and one abstention. Is there any objection to that

[3:57:51 PM]

happening? >> Hearing none can, that is the action that the -- that is the action of the city council. >> Thank you so so much, I appreciate it. >> Mayor, councilmember -- was raised but I wonder if she was muted. She was trying to catch your attention. >> Mayor Adler: I am sorry. Councilmember tovo. Kathie are you -- do you want us to pause before we move to the other items? Let's move on to the last items we V I think we were at item number 10. O councilmember alter, you had asked for some additional numbers or better numbers or revised numbers to be made available. I think that has happened. Now. With a Q & a update. I guess if it is a Q & a update, that is being posted or has been posted shortly online.

[3:58:53 PM]

Alison, do you want to talk to us about these numbers? >> Alter: Sure. And thank you, everyone, for the time to get my questions clear, the answers to my questions clarified. I had asked several questions in the Q & a and had pulled this item because the initial answers that came back contained a number of inconsistencies and inaccuracies and nonresponsive answers I needed to be able to vote on this today. Since then we have been working with our staff to get things right and I appreciate taking a pause for us to get those answers. It is important to me to ensure we have an accurate record to these questions before we voted on these items because we are going to be reexamining this program in the coming weeks and months. So for the record, I want to be really clear that the initial Q & a responses and I think my questions were in the Q & a are not -- an accurate reflection of how the bonus functions so I

[3:59:55 PM]

hope the revised chart helps lay things out. As I broadly speak about my questions I want to start by saying that I believe that as a dais we agree that the existing with bonus requirements are too low and looking for greater clarity so we can make appropriate changes. A decision is before us today are discretionary, and what I set out to understand, what I think should have been basic I found it wasn't as straightforward as we would like. What I wanted to know was, what is the minimum requirements to participate in this program? What were these minimum requirements, especially at the third tier for these properties, you know, given their footprint? And then I wanted to know whether the applicants had met the requirements. And then you know, our applicants have told us not only are they meeting the minimum requirements but they are exceeding them and I appreciate that effort and I have no reason to doubt their assertions,

[4:00:55 PM]

however I wanted to validate exactly how and to what extent each of these applications are exceeding the minimum requirements of our bonuses. You know, I have now got the answers and so does everyone else, I with a don't make sure everyone understands they should examine their set of responses, you know, before we do any further deliberation I just wanted to see if my colleagues have any questions about the answers that were put together in the charts that they want to pause before we talk about the items themselves. >> Mayor Adler: Councilmember kitchen and then councilmember tovo. I can't hear you. >> Kitchen: Oh, I am sorry.

[4:01:56 PM]

Councilmember alter, I want to say that I really appreciate you asking these questions. I agree with you that it is really important that we have this level of detail in the record and also available to us. I have to confess I just got it, I am trying to really understand it. I think it would be useful for somebody to walk us through these answers whether that be you councilmember alter or staff. It is a lot of numbers to look at and so I am reading through it but I certainly haven't had enough time to digest it. >> Mayor Adler: I would be glad good have staff to comment on it. Do I understand, councilmember alts, these are questions not as to what was being proposed but kind of the different scenarios you were asking questions about, what would have would have happened if it had been done differently? >> Alter: Yes, I can just tell you, at least with the different parts are and that will help. So the first chart is what the applicant a submitted so this is what is actually before us, that

[4:02:57 PM]

they are proposing. The second one is what if they were only able to do the fee in lieu and they wanted to get the third tier what would that be? And then the next chart is that what if they only did -- and the green builder piece. So I am trying, this is discretionary and I believe that the requirements we have now are too low. The applicants are coming in and saying that they have exceeded these and so, therefore, it is worth supporting them, but I didn't really understand what the base amount was to begin with and so I wanted to understand what those were and then I think it is also important to understand how much square footage they are asking for for the amount they are paying admission to getting the third tier, whether it is the amount that just notes

[4:03:58 PM]

requirement force amount that exceeds it. And the applicants just close to do some on-site, some of them chose to do green builder, and so -- and they have different square footages so it is not all apples to apples, and Jerry can walk you through it if you want to go into the gory details but I think you know, as we are thinking about what does this program mean I think we need to understand how it is working right now and what we are you know, allowing under the minimum of the program for if you looked in the second chart, you could get 90,000 square feet more of density for a payment of 451,000, for instance. And you can see all of that. But I will let Jerry -- Jerry can explain more than that. But you are correct, mayor, that

[4:04:58 PM]

for the most part this is kind of what the minimum requirements are. We can't hear you . We can't hear Jerry either. >> You hear me now? So councilmember alter and councilmember kitchen, I would just echo what councilmember alter just said, what we looked at was, when we were on the break was the different scenarios. They are choosing to do what I am calling a sandwich, Rainey street density bonus and Rainey

[4:05:59 PM]

street on top of that, councilmember alter's question is focused on what if they didn't do Rainey for the third tier and did downtown bonus which is the option in fee fee in lieu of or leaves the on-site for units at 120 percent and chose to do the Rainey street instead for the third tier which with does righteous retire on site units and at 80 percent instead of 120 so we were comparing what would be the difference between the entire -- fee versus using Rainey for the third tier and how much square footage are we getting versus they did just downtown density bonus, comparing the two. >> We can't hear you. >> Mayor Adler: I appreciate you raising these questions and issues and I think it is really helpful incident to the

[4:07:00 PM]

anticipated ifc from councilmember tovo is we take a look at this policy and make sure that we are calibrating it in a way that we get everything that we can get. From what I understand in the conversation these folks could have done less, more fee in lieu of and less on-site under the existing ordinances. If that is the case we ought to be taking a look at whether we fix that. I am still going to support this item going forward, but I think it does point, the analysis does point out that we need to do that further analysis. Rosie, did you want to say something? >> Mayor, my, I didn't get, mayor, I didn't get my question answered. >> Mayor Adler: We will come back to you in just one second. >> Can you hear me? >> Mayor Adler: Yes. >> Okay I was going say if there are specific questions about this

spreadsheet or the calculations that were provided, we have Alex Radke on the line who can answer anything in more

[4:08:00 PM]

specific detail. >> Jerry may have said that while I was logging back on but just in case I wanted to make sure you were aware we had that resource. >> Mayor Adler: Great, thank you. Councilmember kitchen. >> Kitchen: Yeah. I appreciate that. I just think that it is important that -- I mean one of the purposes of putting this on the record is so that it is understandable to us but also to the public. So director -- perhaps you would be the person to answer for person on your staff, I just want the net-net of this, because when I look at the comparison of these, you know, when you look at the total fil, there is, you know,, there is more under one scenario than other but you look at total reportable square units and dollar amounts just give us the bottom line in terms of what we are getting in terms of affordability on-site as compared to what we 0 would get in terms of affordability if they were using one of these other options.

[4:09:03 PM]

>> [Indiscernible] I will have Alex provide this information. >> Which is what these charges compare, I believe. >> This is Alex -- can you hear me. >> Mayor Adler: Yes, we can. >> So I will do my best to kind of summarize these different scenarios to your question, councilmember kitchen. Really I would say in general with both the scenarios that alter asked us to look at, the affordable housing square footage on-site, additional above the Rainey street was taken out, I would suspect that was about half the number of units that would be on-site, just a very rough estimate there. And then as you can tell, just taking a quick look at the fee in lieu differences between the different scenarios there is actually not as much variation between these and so you know, that is where we are kind of get

[4:10:04 PM]

to your point there can be different tweaks there obviously and this is just a couple of different scenarios here there are other possibilities obviously in this case to two of the projects chosen to use some community benefit credit but there are some other community benefits that could have been used so there are some other scenarios too that could have been considered under this. >> Mayor, I wanted to, I think it is important to clarify something that Jerry said. So, Jerry, you made a comment that they were using Rainey for on-site. Does Rainey require on-site affordable housing for the third tier? >> For the third tier? The third tier, they are not required to do Rainey, they are doing Rainey, and that does require on-site. >> Okay, but they are doing --

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so you are saying they are applying the requirement office the tier 1 to the tier 3, but Rainey, like I mean, because we are talking about revising these bonuses and the bonuses themselves do not require under the third tier that they do affordable affordable housing. >> Correct. >> Alter: And if they want to qualify the housing to qualify in either case they could do it at 120 percent mfi and it would technically meet the requirements. They may not want to come to council to that but technically it notes requirements; is that correct? >> Well, for tier 1 -- >> >> Alter: Tier three, the full question is about, this whole question before us today is about whether we want to grant the extra bonus of tier 3, that is the discretionary thing that is before us, for the whole process we could talk about all of them but I am trying to evaluate what are they giving me more for tier 3? There is no requirement for

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on-site for tier 3. >> That is correct. >> May I, mayor, make a point. >> Mayor Adler: Yes, go ahead. >> About our language. So there are tiers that are indicated in the downtown density bonus program. I don't know if it is fair to talk about the. I appreciate all of the questions and the conversations, but this is not really defined as a tier 3. I mean is defined as an exception to the cap, so I would just frame ate little bit differently. >> Alter: Yes, I I a guess I am talking about the tier of the density, no it is tier -- >> Tovo: Exactly -- like -- I just wanted to distinguished -- >> Alter: Okay toe though is not -- >> I appreciate that. >> Tovo: Thanks, thanks. .. >> I just think it is important because they are doing stuff and when we say what they are giving and what they are not, you know, and it works in both directions, because if we say it is required and then they are just going from 120 to 80 that doesn't look

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that much but if they are not required to do it and thousand they are doing it -- I mean it just matters what the base is for this discretionary decision. >> Mayor Adler: Okay. All right. Is there a motion on item number number 10? >> Alter: I have some more remarks if -- >> Mayor Adler: Okay. Is there a motion to approve item number 10? Councilmember Kelly makes that motion. Motion. Is there a second to that motion councilmember pool seconds the motion. Is there any discussion? Councilmember alter. >> I have some comment too. >> Mayor Adler: I will give everybody a chance to. >> Alter: Do you want to two first? She was the motion maker, she can. >> Mayor Adler: That's fine. Councilmember Kelly,

[4:14:07 PM]

councilmember pool, you want to address? It. >> >> Pool:, great I will support all three of the cases and considering a, considering a few factors. I agree with the conversation that we have had and I appreciate councilmember alter bringing up the recalibration, because I do think council should recalibrate the portion of the code that -- to meet the current community needs and priorities, this has to be able to adjust with the circumstances that change pretty frequently here in the city. It sounds like from our discussion that is something we also support and that we should move quickly to complete. I understand that councilmember tovo's resolution to begin that process will be postponed and I look forward to that coming back to, coming back at that time, April 22nd, these three cases exceed code requirements, maybe not as much as I would like them to, but in a meaningful ways that will assist with completing

[4:15:08 PM]

significant butler trail connections and other amenities, and I really appreciate the work of the applicant, the parties to move forward with helping to fund the improvements to butler trail, that is really important. At least two of them have access to the highway frontage road that alleviates some of the potential traffic impact that would come from our approval of these projects. I am also encouraged by the collaboration with the community for gallery space that is offered by the 82 and 84 ih-35 project, and most especially the alley improvements that will benefit the area. We have worked work to do to fix the density program, know that. It does need to meet our community's needs much better and I obviously am ready to do -- to help with that work. Thanks. >> Mayor Adler: We have the applicants standing by in case

[4:16:08 PM]

the applicant wanted to speak or if anybody has questions for the applicant. Councilmember tovo. We can't hear you. >> Tovo: I have several questions. My first question is, I this foyer Jerry. On question number 7 from councilmember alter talking about the additional amount of square footage each project would realize by participating in the administrative bonus program, there is a response that says the housing staff does not have the numbers to calculate the possible bonus between the Rainey street 40 feet and the eight to 1 far ceiling for the density bonus program. Can someone, can one of our staff on the line -- >> Sure. I believe Alex Radke to answer that question .. >> So the information you see in front of you in that chart was based off of the density bonus applications that we received

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which are specific do the housing -- requirements which ask why we don't ask for that particular information. That would be needed to calculate that piece and I didn't want to try my math. I think it is best that comes from somebody who is an expert on that. >> Tovo: Thank you for that response. And my

next question is for the Austin transportation department. I will just remind my colleagues we have gotten 80 pages of communications, not necessarily for any individuals but 80 pages of communications as they account as of our last meeting from Rainey residents, most of whom were expressing their request that we vote against this because of the Rainey -- because of the Rainey district is experiencing such huge challenges especially with regard to mobility that I would say generally the infrastructure in that area is not -- has not kept up with the incredible pace

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of development and redevelopment in that area and it has caused some real challenges for those residents who are living there. Several of them have talked -- we have gotten all kinds of -- if you look through the letters that were extent out as backup at the last meeting, residents have talked about firetrucks and the -- having difficulty navigating, the fact that this is not, unlike a big city, like New York or Chicago or other parts of our downtown which are laid out on a grid fashion Rainey street is not a grid and has some real challenges with regards to egress and ingress and impacts not just the residents of Rainey but also those going to the Mac and using that gym of a -- gem of a facility. Multiple people have written to talk about the fact that there really have been few actual mobility solutions rolled out in Rainey, and so for our

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transportation staff, I know after lots of conversation through the years, ae comm our transportation didn't did work request ae comm to get some planning recommendations and so I would like to hear from you what is our timeline on those? You know, as the representative of this district, I can tell you I have heard, really since we switched to the district base system lots from Rainey district about the, really the impact again of the rapid pace of redevelopment and infrastructure that is simply isn't keep up with it. >> Thank thank you, councilmember this is -- acting as assistant director from Austin transportation department. And I would admit that, yes, there are challenges, mobility challenges currently in the Rainey district, and we have been working for the past couple of years as you mentioned with the mobility study that recommended a certain mobility

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solutions, one of them is expanding the can -- street further south, that will provide additional mobility and ortt recommendation was to extend Rainey street all the way up to Cesar Chavez. There was a proposal to construct a public parking garage in the Rainey district in conjunction with the mexican-american cultural center also a recommendation tingly transit in the Rainey district so like we have that series of recommendations and we also presented a plan for the -- to the mexican-american cultural

center in the neighborhood before the pandemic hit. But honestly, like all these recommendations, we have to materialize in the next couple of years, but on the same note, we do not have -- Rainey street. We have to make sure that we have the right-of-way that we need to implement some of these

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improvements and we have negotiated additional right-of-way for the future -- extension to the south with one of the recent developments and we are currently working with another development to get additional right-of-way. So all the improvements that came out of the mobility study that meets the right-of-way to really implement the improvements. And we are actively working with the current -- that are coming in. Current developments come in. So to say, that yes, we have all of the improvements that we have planned, but on the same note we need the real estate, really the right-of-way to really in the implementation and that happens when when we cooperate with the develop in other words the process. The improvement, the work we have been doing there atd is not really visible to the public, because again like we really

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need to work on the right-of-way first to have the footprint for these improvements. >> Thank you for that. City manager, we really need a solution for these residents in our downtown area, and, you know, these are residents who moved downtown, they are pioneer and some of the first people to move back down to our downtown area and help the residential feel in our downtown and, you know,ly just cite again we have 80 pages of communications from them, almost all of them urging us not to Brandt these exceptions because they are so concerned about the situation on the ground. We have heard these concerns over the last several years and we always get back to the same place where we are talking about improvements in the future. There certainly are some improvements I think can happen in the shorter term, but we really need a plan or this area,

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so it is -- we have gotten several communications asking us to please- please pass a master plan for Rainey area with regard to transportation, to some extent I regard ae comm study as a master plan. I did reach out to atd or my staff did probably a week or so ago asking if -- is this -- is this the plan that transportation department is going to use? Is this -- do you regard this as a master plan? Are these recommendations that are moving forward and we have not heard a response. So I guess I would ask that question now. Is this -- is this the plan that the city is going to implement and how soon can we get - - how soon can we get a confirmation of that and a real-time table? And some sense of where the

funding is going to come from to do all of those improvements? Or is that something that you need council to initiate?

[4:24:15 PM]

>> May I respond councilmember? Yes, I wish you would, I would but I am feeling uncomfortable because I am not entirely -- would you pronounce your last name for me again. >> It is -- >> Thank you, if you would please respond, thank you. >> Yes. Councilmember, as we review all of these developments that come into the Rainey district we do continue on the development review process and all of the developments are contributing to the funding we have for the Rainey district. I believe we have collected over \$2 million in transportation dab to implement some of the improvements I have described. Again I would notice the challenge is we need right-of-way to really with all of these new developments and then we can go to the up medication. I will admit there are some head

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ghindz the Rainey district and actively working on those and I can assure you the mobility study that we have completed with acomm is really our plan for Rainey district. >> Tovo: It is. Thank you very much for confirming that. So I think it would be good to do some kind of formal action acknowledging that and maybe laying out a timetable so, manager, assistant director barua maybe you can talk about what format that takes. I do have some questions about the affordable housing but I don't know if others have questions about the transportation. I do want to just go back to one thing regarding the mobility challenges. So -- no, probably two years ago now, I brought forward a resolution that was sponsored by this council, supported by this council to create a pedestrian area on a pilot basis over the weekend, and it is my understanding that when our transportation and our APD staff went out there to evaluate the situation on the weekends they

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agreed that there were some very significant safety challenges and because of the high number of pedestrians in that area, the high number of vehicles, the potential for vehicular-pedestrian negative interacts, including we have had at least one accident in that area, and again the really difficult challenge of so many people in such a small area with so little ingress and egress in terms of street. Is that an accurate summation of the assessment that was done at that time? >> Yes, councilor we have done another stud for pedestrian only or pedestrian bicycle only for Rainey district and that was a pilot we had done and again that pedestrian-bicycle only on Rainey street is part of the plan, part of the recommendation that we have in there. Like it all depends on the

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extension of the -- street into the Rainey district plus extension of Rainey street although -- Chavez will open up some capacity and mobile improvements. >> Tovo: Thank you. Thanks so much. I do have a couple of more questions for housing staff but I will take a pause unless anyone else has questions about mobility. >> Mayor Adler: Let me go ahead and give Leah a chance to address this as the applicant. Is she with us? >> I am here. >> Mayor Adler: Do you want to have your five minutes to speak? >> I appreciate that. Mayor and council, I do have a presentation. I will only give it if you would like me to. I think everyone is pretty familiar with the product at this point. Jerry did describe the community benefits that we are providing before the break. So I will just make myself available for questions unless you all would like know give my presentation. Thank you very much. >> Mayor Adler: Thank you.

[4:28:19 PM]

Colleagues, does anyone want to see the presentation at this point? Okay. Continuing discussion. Mayor pro tem. >> Thank you, I appreciate that. I have a question about mobility also. So it is my understanding that we have -- we have our strategic mobility plan, it is my understanding we had a program that was us is -- that suspended the Austin core transportation plan, the act plan, and it is my understanding that maybe coming back in which case a I wonder if there is any consideration for this Rainey area and that act plan. >> Thank you, councilmember. So basically, we have the Rainey mobility study that was a part of the act plan, and we have recently initiated the act plan to have the mobility improvements that came out of the Rainey district and again like there was a pause in the in that because of the pandemic

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pandemic, due to the difficulties during the public engagement. Now that we are slowly getting back to some normalcy we have initiated this whole thing of the act plan, again the mobility study that we have completed is part of the act plan that we are working on. >> Thank you. >> You said my name -- >> On mobility, I just want to make a comment that I support councilmember tovo's call for implementing the acon plan and really working hard to find resolution to the safety issues that have been raised over and over again by the many constituents who took the time to speak to us. >> Mayor Adler: Thank you. Anyone else on transportation? Councilmember tovo, do you want

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to ask your other questions? >> Tovo: Thanks. I did want to ask our housing staff, were you able to calculate -- I don't believe any of us asked you to, but did you run a calculation of what the affordable housing fees -- would have been if they had been calculated under the recommendation -- under the revised fee that our consultants recommended? >> I don't believe that we ran that calculation right now. Or that we have had a chance to run those numbers. >> Tovo: Okay. Thanks. One last question, director truelove. What mechanism will our city use, the housing department use, planning and housing department

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use to ensure, I am sorry, I am still getting used to that name, I just stop calling it code enforcement after many name changes. What mechanism will you use, will your department use to ensure that the units, if this discretionary zoning is approved, for the -- for the piece of the building that exceeds the cap, where there are contemplated or proposed to be some on-site units, what mechanism does the city have to ensure that those are on-site units versus a fee in lieu? >> Do we have any mechanism? Given those are not requirements under the code? As it is currently configured? >> Alex, do you want to talk about that? >> My internet connection is breaking up a little bit. Would you repeat the question? >> It may be a question we also

[4:32:23 PM]

Ned to call on law to -- it is basically what is the mechanism we will use to ensure that units are on-site rather than not. >> Right. For the piece where the applicants to use Jerry's analogy, if you go for an ice cream cone analogy if you go beyond the Rainey into the downtown and then back up to the Rainey again, where there are units proposed to be on-site, what is the mechanism for enforcing those at that top, which are in the piece of -- are in the piece of the development that exceeds the cap under the downtown density bonus program. >> We actually have not [indiscernible] >> Mayor Adler: You are breaking up. >> [Indiscernible] Has reached a

[4:33:26 PM]

stage where -- [indiscernible] So I don't have an answer to that. I think that is the thing that we are planning on talking to law. >> Do you mind repeating the first part of what you said? I heard the conclusion. I didn't hear the other piece. Alex, I think you were saying something about something about not having encountered this before in a project. Would you mind just repeating that, please? >> I think what Alex is saying is this is the first time we have encountered this and so we will be developing the mechanisms potentially and we will consult with law as we may need to, so we will get back to you on it

with an answer to that that. >> Mayor Adler: Okay. Councilmember tovo, do you have at this additional questions? 0. >> Tovo: I do not at this time, I look forward to hearing

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what the mechanism is. So hopefully you can follow back up with us. Thank you. >> Mayor Adler: Thank you. Councilmember alter. >> Alter: Had a question, I have a couple of questions that apply to at least at this point all of them. There may be new information. I first want to add that staff also updated answers to my questions 1 and 8, and so I -- I would just ask them to extend those answers out to everyone and post them as well so that the record reflects those answers. Broadly speaking, having dove into this a little bit more than I was anticipating over the last 24 hours, it is really clear to in me that the minimum program requirements are fully inadequate and the program absolutely fails to pay community benefits in line with

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the benefits received. I have no doubt about this. But the applicant followed the rules and as the record reflects they are providing community benefits above and beyond the minimum requirements in the code -- requirements again I just want to reiterate are absolutely insufficient. This is the program that we have today and they have exceeded the requirements, so I am going to reluctantly support these cases today. I appreciate the ways the applicants have worked to contribute beyond the minimum requirements and with housing and especially parks and I want those to be recognized positively, it is not their fault the program is insufficient. But I am doing this in that we are going to reform the program. It desperately needs reform. Now the futurely not support bonuses until we have increased the nine requirements for participation and I really look forward to that work being done swiftly. Thank you.

[4:36:30 PM]

>> Mayor Adler: Thank you. Further discussion? The motion has been moved and seconded. Mayor pro tem. >> Thank you, chair. I also had some comments about the items. And we are taking them all up together though just to be clear, right? >> Mayor Adler: No. We are taking them up individually. This is just item 10. >> Well, I will hold off in that case, thank you. >> Mayor Adler: Thank you. Number 10 has been moved and seconded. For approval. Councilmember Renteria. >> Mayor, I would like to have the same concern of my colleague alter, that, you know, I see this over the years being slowly developed and then accelerated to the max now. I do want to see this study but it probably won't -- this area as much anymore. Because the property is left to develop there.

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I think Chavez frontage to Rainey is the last piece and a few pieces on the frontage road, but most of it is pretty much developed and, manager, I really ask that you look to the, that infrastructure be and the roads -- I drive through there, but I will never go through there will in the afternoon, late afternoon or early, early in the morning. But it is my own neighborhood that I used to hang out at with all of my friends so it is very special to me and I worked over 24 years to see the mac get developed and I really want to sit down and look at this very closely, so this is just the beginning. There is going -- there are going to be other sections of town as this grows, which this is in south Austin across the lake by the American -- building

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building. So we really need to be very careful to make sure that the proper gets -- the first attention because it is very, very expensive to retrofit any old structure. It is pretty clear it is a big problem in the future if we don't look at the construction there. And the bonus that we need, we are limited, we are very limited on what we -- the community benefits, so we are in desperation here and the central, in the central Austin area, so there is very, very needed funding that we need and I am glad that the developers are offering more than -- offering Mohr than what is required but they also know we will vote for it, we wouldn't vote for it if they didn't. Thank you. >> Mayor Adler: Thank you, 10.

[4:39:35 PM]

Item 10 O councilmember kitchen. >> Kitchen: I want to say I appreciate all of the discussion and I appreciate the additional information we have had, and I appreciate the efforts that the developers have gone to and understand that they, that they are following the requirements that are with us right now I have two concerns and I won't be able to support this at this time. I do think that the amount that is required is just insufficient and so I can't support this. I am also concerned about the interest that the neighbors have raised in the area concerning safety and mobility and that's the second reason I can't support this at this time. >> Mayor Adler: Okay. Councilmember tovo. >> Tovo: Yes. I agree first I want to acknowledge, I was reminded and I appreciate this, that the city of Austin very rightfully no longer uses the terminology

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master plans, and -- in our efforts to eliminate elements of systemic racism in this language and our practices so thank you for that reminder and I look forward to the city manager bringing forward the aa comm recommendations and have us improve them if that is the next step or acting on them or implementing them as a comprehensive plan for this area so thank you, thank you again to the community member who reminded me of that. I agree with my colleague, councilmember kitchen and others, this is, as I indicated for me an area that is in need of some really significant and immediate safety upgrades and mobility upgrades, but the other point is the one that I know we will have an opportunity to talk about as we consider my ifc here in a couple of weeks and that is the fact that we are using outdated, we are using outdated

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numbers for -- we have a the ultimate discretion here before us today. The reason they are here before us because they are asking for our approval to he exceed the caps and I really do appreciate the conversations I what the applicants and they had with my staff and the information -- the way in which they have included additional community benefits. I think that is very helpful. That being said I do have significant concerns about considering a promise, considering these exceptions knowing that we are using outdated numbers and that we never have, as a council consider what benefit should -- how benefits should be calculated I think they are substantially behind the central that our consultant says we should be retaining for the community, which is that \$12 so I look guard to updating the fees in a few weeks and today I am not supporting this or the other two requests to exceed

[4:42:38 PM]

exception. Exceed the exception. >> Mayor Adler: Okay. Let's take an five vote on item number 10. It has been moved and seconded. Raise your hand for. Those oppose. I am seeing toe 0 ovo and kitchen no, I see the others voting aye. This item passes. Number 10. >> Mayor, may I comment on 11 very quick ily. >> Mayor Adler: Yes. >> Item 11 is to approve on second and third reading -- under city code section 20 the if-2-58 6-b six, we also have related item, item 4 question is the aerial right-of-way -- which is an office of real estate services item, if you would like I would run through the numbers on item 11 as I did on item fin. But in summary, the project would be providing 25 on-site

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affordable units and providing \$1.2 million towards the housing trust fund. If you like I can break them out by if you like I could break them out by F.A.R. If someone chooses. >> Someone could ask for that. We're calling up item 11 and item 4, the right-of-way issue as well. Does someone want to move approval of items 4 and 11? Yes, councilmember tovo. >> Tovo: Must we take them together? I'm going

to vote differently on these. >> Mayor Adler: We don't have to. >> Tovo: I'm going to move approval of item 4. >> Mayor Adler: Councilmember tovo moves approval of item 4. Is there a second? Councilmember alter seconds that. Any discussion? Those in favor of item 4 please raise your hand. Those opposed? I'm seeing it unanimous on the dais. That gets us to item number 11. Is there a motion to approve

[4:44:39 PM]

item number 11. Councilmember Renteria makes the motion, councilmember Ellis seconds. Any discussion? Let's take a vote. I think past discussion applies to this also as well. Those in favor of item number 11 please raise your hand. Those opposed please raise your hand. Kitchen and tovo voting no. The others voting aye. That passes on second and third reading. >> Finally, mayor, item 12. It would be to approve on second and three readings an ordinance -- in accordance with the downtown density bonus under city code section 25-2-586-d-6. This is very similar to the previous two projects. In summary we'll be providing 20 affordable on-site units and 1.3-million-dollar contribution to the trust fund. >> Mayor Adler: Is there a motion to approve this item number 12? Councilmember Ellis makes the motion.

[4:45:40 PM]

Mayor pro tem seconds. Any discussion on this item 12? Let's take a vote. Yes, mayor pro tem. Did you want to say anything or were you voting? >> Harper-madison: No, no, I wanted to say something. I reserved my comments to the end because I wanted to take them up sort of as a suite of options. They're all applicable to my commentary. >> Mayor Adler: You need to speak before we vote or I'll recognize you to speak after we vote. >> Harper-madison: I can absolutely speak after. >> Mayor Adler: Okay. Let's take a vote on item number 12. Please raise your hand. Those opposed? Councilmembers kitchen and tovo voting no. The others voting aye. It passes. Mayor pro tem, do you want to speak? >> Harper-madison: Thank you, I appreciate it. So like I said, I saw this as a suite of options because my commentary here, my thoughts here sort of generally lie in that downtown corridor. So the downtown Austin plan adopted by the city council

[4:46:41 PM]

in 2011 makes no bones about provision for the Rainey street district T calls for the highest level of density in that section of downtown. I think we struggle a lot on this dais on where increased density is appropriate, but here in my mind's eye is one instance where we have pretty clear guidance. Rainey is one of those areas that isn't encumbered by a capitol view corridor. It's also one of the few neighborhooded in Austin where people can live comfortably without having to own a car, especially once the black and brown is completed. The -- once the blue line is completed. The more housing we

can build here gives benefits to a walkable, complete community which means so much to our future goals. It also means that less housing -- it also means less housing that gets built on undeveloped green fields that are far from jobs and stores and other amenities that people need, which compounds our traffic problems. So in Rainey lots are much

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smaller than in most other parts of downtown. It makes complete sense that development would require more F.A.R. To achieve affordable units and that's a key element for me. All three of those projects are able to include on-site affordability through the density bonus program. It's rare that we see downtown projects with on-site affordability units and it's clear to me it makes it possible for these projects. One more thing that I think needs more work is a vision of a wide range of housing choices for people from diverse social and economic backgrounds. Any opportunity that we have to encourage on-site affordability in downtown is always worth exploring. I do think, however, that we also need to consider that on-site affordable housing isn't the only community benefit under consideration. And fees in lieu aren't the only money that we extract from downtown towers.

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These provide millions in tax base for affordable housing, public safety, street improvements, libraries and parks, like we discussed today I think we all agree that our current bonus program needs to be Rea albrighted. I also look forward to continuing had that conversation. In the meantime, however, regardless of how we vote, I think we all know that these sites will be developed. The decision before us is a matter of limiting housing supply. Supply that we critically need, which we will create more expensive units or opting for projects that offer community benefits such as on-site affordable contributions to the affordable housing trust fund, funding for trails and local infrastructure improvements. This is a neighborhood that has experienced transitional growth at warp speed and I know that's brought growing pains, but investments are catching up and I appreciate the thoughtful approach that these projects took in considering Rainey's

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challenges. Ultimately what we do with I-35 could genuinely remove a giant barrier to mobility and reconnect Rainey to the neighborhood to its east and in the long range that's what I would like to see happen. So I'm going to be able to, you know, really feel optimistic about our future and our housing needs. Thank you, chair. >> Mayor Adler: Okay. Councilmember Casar and then councilmember kitchen. >> Casar: I hope we continue to work through the land development code issues together. We have a housing crisis that's been impacting people for a long time. As long as I've been on council it is one of

the number one issues that I hear about from my constituents. But I think it's also important for us to acknowledge how in the last few months between the pandemic and the winter storm and so many other

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issues, it's been hard to get this back on to the front burner for us doing work on. And in those exact same months the crisis has gotten so much worse. I just -- a week doesn't go by where I don't hear from a friend or constituent who just loses their house. A cash offer just taking their house out from under them when people are just trying to hold on to where they are. I tell folks extend your lease, find a way to stay put because it is just getting so bad out there for people, and there's only so much I know that we can do, but it's just -- it just feels intensely -- even more intensely important for us to address both the housing supply issues and getting as much affordable housing subsidy for people the market isn't going to serve to get both of those done. And I think we've really been -- I think that this is an important moment in the year where we're trying to

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reopen the conversation to figure out how solve both of those issues together. And it's a hard issue and it's a hard thing for us historically to all figure out how to get to the right place, but I just want to emphasize again just because the community has heard us talking about so many other things that this has to startle evacuating itself as something we have to work together to solve this. >> Mayor Adler: Councilmember kitchen. >> Kitchen: Yes, I appreciate that, councilmember Casar and mayor pro tem. I think it's really important for us to remember that every single one of us cares about affordability and every will single one of us cares about housing and density. And our folks here do not mean that you're either against or for density, and I'm not suggesting that anyone said that on the dais. It's the nuances that are important that we need to struggle with and think through. As you said, councilmember

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Casar, and find a way towards getting in a better position for that. And so I appreciate councilmember tovo bringing forward in the future us looking at recalibrating these bonuses because we're all here understanding what you said, councilmember Casar, and I appreciate you bringing that out, that we are in a housing crisis and we're in a crisis related to affordability. So my vote today is because I don't think that we're getting enough. I respect everybody else going forward and supporting this because these are issues that people can disagree on. But what we're not disagreeing on is how important affordable housing is and we're not disagreeing on where density is appropriate. >> Mayor Adler: Thank you. I

would just add to the conversation, I think it touches on what many people have spoke to, including councilmember Casar just a

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moment ago. I think we owe an obligation to the community to finish with the land development code work and I think right after we've done this kind of thing we're working on right now with the health issue and as we get into may and June, July, August, that in that time frame we're able to fashion a step forward with respect to the land development code, one that moves us forward and maybe doesn't bring in to the discussion the issues with respect to notice and petition rights. Let's see what we can together as a group that we can all agree to so that we can move forward with this. I think that we should at the very least do that, but we should do that sooner rather than later.

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Any further discussion? Guys, we only have the executive session that's left. So here -- councilmember tovo? >> Tovo: So we've talked about the resolution that I'm bringing forward in conjunction with my colleagues that we postponed today and I'm actually tingeing -- tinkering with the posting language a bit and it will go up tomorrow. I would like to reconsider that item for today and actually withdraw it and we are going to repost it tomorrow with slightly different posting language that's more accurate. So my motion is having voted on the postponement for the consent agenda, I am going to ask that we railroad consider that ifc. >> Mayor Adler: So you can withdraw it. Was it 46 or 48? >> 46 sticks in my brain but I've lost that page on the agenda. >> It was 46. >> Mayor Adler: Councilmember tovo wants to file a motion to reconsider item number 46 so that she can withdraw it in lieu of

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postponing it. Is there an objection to that? Seeing no objection on the dais, the record will reflect that we reconsidered that vote and instead of postponing it the council has chosen to just let it be withdrawn. Okay? Anything else before we go into executive session? We'll now go into executive session. To take up one item, it pursuant to section 5510 four of the government code the city council will discuss personnel matters related to item 47, which is the city manager. Without objection, we will now go at 4:56. When we are done with the discussion I'll come out by myself to close out our meeting tonight. Colleagues, let's take three or four minutes and let people do a restroom break,

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but then moments after 5:00 let's all get together in executive session.

[In Executive Session]

<Mayor Adler: All right we are out of closed session. In closed session we discussed personnel matters related to item: 47. That was our last business item of the day. So here at 6:40 p.m. I am adjourning the April 8, 2021 City Council Meeting. Thank you. Staff thank you.