

# City Council Regular Meeting Transcript – 07/29/2021

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>> Mayor Adler: The only person we can't see right now is council member tovo. Let's see if we can figure that out.

>> I heard her.

>> Mayor Adler: Did we?

[10:11:32 AM]

Council member tovo, can you hear us, see us?

>> Tovo: Good morning, city hall.

>> Mayor Adler: Good morning.

>> Tovo: Can any of you hear me?

>> Mayor Adler: Yes, we can hear you. Can you hear us?

>> Tovo: Mayor, you've asked. I'm reading your transcript. You're asking if I can hear you. I can't through the portal where I'm transmitting but I have you all up on a different computer. I probably can hear you over there.

>> Mayor Adler: Can you hear me now?

[Echo]

>> Tovo: Mayor, I can hear you -- I can't -- yes. Good morning, city hall. Can any of you hear me?

>> Mayor Adler: Yes, we can hear you. Can you hear us?

[10:12:41 AM]

>> Yeah. Can you hear me? I can hear you.

>> Tovo: Mayor?

>> Mayor Adler: Yes?

>> Tovo: I can now both hear and see you all. Thank you.

>> Mayor Adler: Okay. Great. Council member tovo, you're going to be with us today remotely, as is the mayor pro tem. Before we start our meeting, council member tovo, is there something you needed a moment, personal privilege?

>> Tovo: Mayor, I do. I need just a minute to get organized on that front. If you will just permit me one more minute. Thank you. And while I'm pulling that up, I did want to explain why I'm

[10:13:43 AM]

virtual and that is that I had hoped to be able to be with all of you in person again, as I was on Tuesday. One of the members of my household started exhibiting symptoms of a virus on Tuesday. Hopefully not covid but we are still awaiting test results, so in an abundance of caution, I also had myself tested and I am fine so those of you I was around on Tuesday can take some measure of comfort in that and, again, my family is isolating until we know what's going on here. So, thanks, ctm for making this option available for all of us.

>> Mayor Adler: No, and thank you for modeling that. Do you have a proclamation you wanted to read?

>> Tovo: Yes, mayor. I just am having a little bit of technical issue here this morning but I will be ready to do that super soon. I apologize.

>> Mayor Adler: All right. We'll come back and do that then. I'm going to call the meeting to order here on Thursday

[10:14:46 AM]

July 29th, 2021. This is the city council meeting. Most of the council is present and on the dais we have the mayor pro tem and council member tovo participating remotely.

>> Tovo: And I am ready when you are, mayor.

>> Harper-madison: Also, mayor, if I may, while council member tovo collects her items, I just want to take this opportunity to also take a moment of personal privilege. I'm immunocompromised and there are a lot of members in our community who have lupus or cancer or any of the above items and I have to be very careful. So now that we have approached stage four I couldn't in theory be wearing this mask or I could just stay home. And that's what I've opted to do. So thank you for allowing me

[10:15:47 AM]

the option to do so.

>> Mayor Adler: No, I appreciate that and I appreciate the modeling that you're both doing. We've heard reports today again reaffirming how many people are in our hospitals in ICU, almost all of them unvaccinated folks. The rise that we've seen in our numbers has taken us three weeks to do what last year was taking us ten weeks to do. I mention that because this really is a pandemic of the unvaccinated that is at the base of what we're dealing with, so it's really important that we get as much information and data about the safety of the vaccines and the effectiveness of the vaccines as well as the impact of not taking the vaccine is having on the community generally in the city when people make that choice not to get vaccinated. So I appreciate the modeling.

[10:16:48 AM]

Council member tovo, do you want to do your proclamation?

>> Tovo: I do. Thank you. Thank you. And thank you, mayor. You know, I really appreciated your comments on Tuesday as well as today. I think the number of breakthrough cases, in addition to the others, are really of concern. So this July is national cleft and cranio facial awareness month which is an important time to learn more about people who are born with the variety of conditions that fall within cleft and craniofacial within the cleft and craniofacial category. Today I have the honor of presenting this proclamation and recognizing one of the organizations in our community that is very close to my heart, and that is Austin smiles. They do great work both here and in our community as well as in Latin America. So on behalf of our council I would like to present the following proclamation. Be it known that whereas one in

[10:17:50 AM]

700 children are born with cleft lip and/or cleft palate and these children can face difficulties with feeding, speech, breathing, and hearing as well as mental illness concerns. And whereas in response to that need, local physicians at the Austin society of plastic and reconstructive surgery formed Austin smiles in 1987 to provide surgical and post-surgical care to children born with this condition both in

central Texas as well as in Latin America. Since then Austin smiles has expanded its supports to serve more than 800 local children annually and has conducted over 100 medical mission trips. And whereas July is national cleft and craniofacial awareness month and this national awareness month aims to educate our nation on the importance of cleft care and pays tribute to all the children in the world who struggle with this condition. During this month we celebrate the life-changing work of Austin smiles' mission as they help to empower local children with this condition and bring in of Austin's finest medical

[10:18:51 AM]

professionals to Latin America each year to provide life-changing surgeries at no cost to families. I, Kathie Tovo, on behalf of Mayor Adler proclaim July 2021 as national cleft and craniofacial awareness month in Austin, Texas. So thanks again to the great work that Austin smiles does and many of their volunteers and many other physicians and medical professionals. If you have spoken with anyone associated with that, and I have had lots of contact with them through the years and as well have a family member who traveled on one of those medical missions. Really the work they do is life changing and potentially life-saving as well for the children who benefit. So thanks again, Austin smiles.

>> Mayor Adler: Okay. Colleagues, let's take a look at what we have today. The consent agenda is items

[10:19:51 AM]

119, 1-119, also 170-177 and also 182. We have a lot of speakers that have signed up to speak with us this morning. So as soon as I read in the changes and corrections we're going to go to those speakers. We'll first call the speakers that are remote and we'll call the speakers that are here for us to talk to this morning. We have about 106 people that are signed up to speak this morning. We're going to speak one minute each, as we get through that. We also have speakers for citizen communication and also this afternoon on zoning. So a fair amount of our day is going to be spent here with speakers. So we're going to go ahead and proceed as soon as I get the changes and corrections read into the record. We'll handle the consent agenda. If anybody has an amendment that they need to talk about,

[10:20:52 AM]

we'll pull the item. If anybody wants to talk about amendments, we'll pull the item. If we're just filling in a blank or making a motion for something that's already been handed out and there are no objections to it, we'll proceed. But we're not going to discuss anything associated with the consent agenda. Let me read the changes and corrections. Item no. 5 has been postponed to August 26, 2021. Item no. 9 is related to item 19. Item no. 9 is recommended by the water and wastewater commission on a vote 7-0 with commissioner Michael recused. And commissioner Williams absent with two vacancies. Item no. 14

relates to item 22. Item no. 19 relates to item no. 9. Item 19 was recommended by the water and wastewater commission on a vote of 8-0 with commissioner Williams absent and two vacancies. Item 22 is related to item 14.

[10:21:55 AM]

Item 28 is withdrawn and replaced with item 179. Item no. 30 is withdrawn and replaced with item 180. Item 37 withdrawn and replaced with item 170. Item 38 withdrawn and replaced with item 171. Item no. 112 postponed to September 2, 2021. Item 117 is withdrawn. Item no. 119 has added, as a co-sponsor, council member Fuentes. Item no. 127 is postponed to August 26, 2021. Item 146 as a result of a revised boundary, the petition is invalidated. Item no. 161, a valid petition has been filed in opposition to this rezoning request. Item 178 is postponed to September 2, 2021. Item no. 8 is being pulled off consent. We're going to need a roll call vote and we need a little bit

[10:22:56 AM]

more information before we can fill in the blanks on that one. Item no. 27 is pulled to be heard with item 179 . Item no. 29 pulled to be heard with item no. 180. Item 54 and 55 I have pulled. I have no opposition to those but we're pulling those because some people wanted to have a broader conversation about putting these units into context of the other housing options available to us like encampments, so I would imagine that's going to involve a continuation of the conversation we started on Tuesday with Diana gray. Item no. 119 has been pulled by council member Kelly . Items 170 and 171 are pulled to be heard with item 129. We have some late back up in items 26, 27, 31, 32, 40, 46,

[10:24:00 AM]

57, 65, 96, 111, 117, 125, 137, 138, 141, 143, 144, 146, 147, 150, 151, 153, 155, 161, 162, 163, 165, 167, and 174. Colleagues, clerk, if you're ready, can you call the speakers we have on remote?

>> Mayor, excuse me. Could you please pull 26 for discussion?

>> Mayor Adler: Okay . We'll add 26.

>> Thank you.

>> Tovo: And mayor, I need to pull -- I do have some additional questions about 177 and would appreciate the opportunity to ask a couple of those in executive session. I know we had an executive session on it Thursday. I just had some follow-up questions. And then I have -- I am about to circulate -- let me back

[10:25:00 AM]

up. On the St. John's item I posted on the message board my intended motion. I have talked with council member Casar and making some edits based on the conversation I had with him and will circulate that here soon. I believe it can remain on consent, I just want to call my colleague's attention to that and, let's see, there may be one other thing.

>> Mayor Adler: We're going to pull that item because I think there will be some discussion on that. So that item -- what number is that? St. John's. It's 26. It's been pulled.

>> Tovo: Got it. I'm sorry. I missed that. And I may have one other item I'm going to pull. I'll let you know, but 177 I would like to pull. Thank you.

>> Mayor Adler: Got it. It's pulled . Yes.

>> Mayor, I need to read in on item 52 for the settlement. I need to read that in the record .

>> Mayor Adler: Go ahead.

>> Yes, mayor. Today I'm here to recommend that you approve a settlement of \$271,000 to settle the Lim

[10:26:03 AM]

versus the city of Austin lawsuit. The lawsuit is related to an accident that occurred on August 3, 2019. Dr. Tobin Lim was injured when his motorcycle collided with a city vehicle. The city will obtain a full and final agreement from Dr. Lim that releases the city and its employees from any claim that could be asserted in the lawsuit and the law department recommends that you approve payment based on these terms.

>> Mayor Adler: Thank you. The blank is filled on 52. It remains on the consent agenda. Council member alter.

>> Alter: I would like to pull 4 and 82. I have amendments. I don't think they will take long . And then 103 I would like to postpone, which I can either pull or we can postpone to the next meeting. And then for --

>> Mayor Adler: Hang on a second. 4 and 82 you're pulling and then what was the next one?

>> Alter: 103 I would like to postpone until the next

[10:27:04 AM]

meeting, if possible. I can either pull that to do that or you can just postpone it.

>> Mayor Adler: Let's pull that right now .

>> Alter: And then I want to pull 43, please . And then I also want to pull one because there may be one I need to postpone. I would like to pull 1, 4 --

>> Mayor Adler: Did you say 1?

>> Alter: One is the minutes. I'm hoping I can get it done but if I don't, I want to do that. I would just ask my colleagues that if there are amendments and you're speaking to them, if we can do them separate from consent, we have an enormously-long agenda and it is really, really difficult for us to know what we're voting on and for staff to know what they're doing and I think we could take the ones that are not controversial up quickly and go through them but it would be a whole lot more transparent for the community,

[10:28:06 AM]

that way given the number of items that have something.

>> Mayor Adler: Okay. We're going to try to do that. If it's something you can just call out, we'll keep it on consent. If there needs to be a discussion for confusion, we'll pull it. Council member kitchen.

>> Kitchen: I have a question for council member alter. You pulled item 43. Do you have questions about it or can we keep it on consent if we speak to the amendment the way that you've asked?

>> Alter: So my whole point is that this is an enormous agenda and it is really, really daunting to follow every little bit and I am really concerned that we make sure that we know what we are voting on when we're voting. For 43 I have a late question that was in back up that I haven't received the answer yet but it's important to me to read it into the record. That does not seem appropriate on consent.

>> Mayor Adler: Okay. So we'll do it real quickly after we do the consent agenda. Hopefully it will move real fast. All right. Council member pool.

[10:29:06 AM]

>> Pool: Okay. Really, really fast. Item 114 I want to add \$500 to the waiver for the sunshine camp run for the sunshine run event. And really quick an important thank you on the shop the block item 116. I just want to say how excited I am about incorporating some of the best lessons we learned from shop the block program and the council has supported that over the last year and a half, especially want to thank my co-sponsors, especially Shannon Hayley in council member tovo's office. She's been an

incredible resource to the city staff and community on shop the block. I look forward to what our staff comes back with this fall and thank you. That's item 116.

>> Mayor Adler: Clerk, go ahead and call the speakers.

>> The first speaker is Kristin Durham.

>> Mayor Adler: You have one minute.

>> Kristin Durham, please unmute.

[10:30:06 AM]

>> Apologies. I was muted. Mayor, city council members, again my name is Kristin Durham. I'm a seven-year resident of Austin, Texas. Very proud of our efforts to stand up to Republican governorship of this state. I pride myself on living in a Progressive city. I am testifying against giving more money to APD. Our police department does not need more money. We have plenty of people and programs that need that funding. We have purposely and in the past defund acts in Austin and I want to support those and beg you to please not give more money to APD. Thank you.

>> Sara gore.

>> My name is Sara gore. I'm a long-term resident of

[10:31:08 AM]

district 7 and I'm also a member of the democratic social of America.

[Indiscernible] Will force the city to increase APD's budget. These changes will be irreversible. They can barely afford to live in the city right now and cannot afford for the city to divert financial resources away from the services we need.

[Indiscernible] Required by hb1900 and continue to fight the rising costs in the city.

>> Elizabeth Rome. Hello. My name is Elizabeth and I'm an attorney living in district 5. I want to support the recommendations submitted to council about the city's budget that the recommendations submitted on April 20, 2021 by communities of color united and other groups. I felt compelled to speak because I believe that community safety is essential

[10:32:08 AM]



and I want my children and neighbors and every person in this city to feel safe. There was an abuse during racial [indiscernible] I knew the city would take that seriously and the need for change be taken seriously by this council. I want to encourage you to stand by your inclination in that regard and to support what the reimagining public safety group has come up with. The city has to ensure that APD culture and practices change drastically to address the problems and that we've been seeing for years and years. I was proud to see our city shift so much money of the police budget. I wish it had been done initially in a more permanent way rather than recommendations but I really encourage you to move that forward and allow other departments to handle matters that are better left out of the hands of the police.

>> Coquette Hamilton.

[10:33:12 AM]

Coquette Hamilton, please unmute. Regina Rogoff.

>> Hello, can you hear me?

>> Yes, go ahead, please.

>> Hello, everybody. I am Regina Rogoff and I am CEO of people's community clinic. And I am speaking on item 26, peoples is a federally-qualified health center with 50 years of experience serving low-income, uninsured austinians. We are recognized by the national council of quality assurance as a patient center home and by our federal funder is a healthcare disparities reducer and healthcare leader for achieving among the best

[10:34:12 AM]

overall clinical performance outcomes and placing people among the top 10%. Our clinic is located in districts 4 at 1101

[indiscernible] East of I-35 and north of 290. I reside in district 9. Peoples state of the art 59,000 square foot facility opened in April 2016 and within five years was operating at its full capacity. We continually receive new patient requests for services that unfortunately we cannot accommodate. This is why I am here today speaking in support --

>> Mayor Adler: Thank you very much.

>> Mayor, can I could ask Ms. Rogoff what her very last thought was going to be.

>> Council member, she's been disconnected.

>> Casar: Okay. That's fine. Thank you.

>> Suzuki mcmayhon.

[10:35:18 AM]

>> I'm the senior policy director and I want to address today an issue threatening the city's budgetary discretion. The right wing petition that could lead to a November election requires Austin to ensure at all times that the police department has two sworn officers per 1,000 residents or about 2,050 officers based on the current population along with other stipulations that require more hiring. This means hundreds more police have to be hired next year and ongoing hiring to keep the cop to resident ratio at two per \$1,000. The population will increase at least 1.25% for the next ten years and that's a minimum of 12,500 more residents each year and 24 new officers each year. Signal to your constituents that you are committed to reimagining public safety in Austin with this year's budget by keeping it at level required by hb 1900 and not a penny over and continue to fund alternatives to public safety here in Austin. Thank y'all so much.

[10:36:20 AM]

>> Lauren ordle.

>> Hi, I'm Lauren in district 1 speaking on item 130. And I am a volunteer with hac. We want to address a potential serious risk to your decision-making should the November ballot item pass forcing the city to increase the cop to resident ratio in our city. This is another round of Austin bashing from Republicans who think they can fear monger their way back into power in the next election cycle. We support this city council's decision to steer us toward a comprehensive approach to public safety. Your actions last year to fund ems, expand the delivery of treatment instead of punishment for mental illness, Flor civilian violence prevention, expand access to family violence shelters was good. You don't have to run from it. If we have to deal with hb 1900, fine but you don't have to go further and you should take heart in the support you have been hearing in these public comments and elsewhere

[10:37:21 AM]

for your broader public safety vision. Thank you.

>> Donna Carter.

>> Yes, I'm Donna Carter with Carter design associates and I'm here to speaker on item 26. I'm here to ask the council to provide direction to staff and the developer to find ways to include a St. John's community benefits plan within the overall proposal for affordable housing. As respondent to the original rfp, Carter design and capitol aid provided a plan for integrating community benefits into an

overall development. We're sorry we were not selected but I feel that the plan is still viable and that there were partners that we had engaged, including Houston tellopson as part of a community hall effort.

[10:38:21 AM]

I stand willing to work with the city and the developer to see how we can get these benefits included in the plan. St. John's is a historic community that needs to be recognized. We need to have people have the ability to return to St. John and make it a continued viable African American community within Austin. Thank you.

>> Richard Smith.

>> My name is Richard Smith and I live in district 8. Austin's police department is currently staffed at levels not seen since the mid 2000s or earlier. I applaud the desire to increase staffing of 9-1-1 dispatching call centers. But police responses to 9-1-1 calls are often non-existent or unacceptably long and we need enough police officers to respond to those calls. Absent significant funding of officer retention and recruiting, the number of police officers needed to

[10:39:22 AM]

protect our city will continue to decline. Two police academy classes are in the proposed budget. Class 145 and class 146 also need to be started as soon as possible. I fully support the proposed increased funding over the mandated minimum and strongly urge council to maintain that increase.

>> Aways Azar.

>> I serve on the team of planning in our communities. Our city has made significant strides in reimagining public safety over the past year and we ask council to fund community priorities as they consider the proposed budget. Due to the state mandate laid out in hb 1900 we ask council to decline the increasing budget and we are joining other community organizations in asking that any new funding for the department be reviewed in light of competing community

[10:40:24 AM]

needs. Homelessness and emergency rental assistance efforts, including adding staff capacity to implement these initiatives. We ask that you create a sliding scale of planning program and an assistance program to apply for a homestead exemption. Expand the stabilization program which includes legal representation and outreach. Expand emergency rental assistance to ensure the tenants

are protected. Add at least one in the housing department displaced prevention who can connect community members to resources. Reallocate two ftes to the

[indiscernible] --

>> Speaker, your time has expired.

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

>> Crystal Ericson Collins.

>> Hello. My name is crystal Ericson Collins. I'm a volunteer and we need a comprehensive public safety approach that centers community

[10:41:24 AM]

well-being and addresses the root causes of community harm. We need community-based rapid response and restorative justice groups such as 10,000 fearless first responders and perfect conflict intervention. These organizations provide a culturally-appropriate first response and restorative justice practices that get at the heart of the issues that impact communities of color and Austin at large. Today I ask you to consider the ways to provide funding to organizations that align with the goals of the office of violence prevention and would best serve to address safety concerns by showing up with a wholly different vibe than gun-wielding police officers.

>> Tracy Heim.

>> Good morning, my name is

[10:42:24 AM]

Tracy Heim. I'm a longtime resident in district 5 and I'm here to speak on the proposed budget. I'm calling on Austin city council to renew and expand the cooperative coaching and training program and to increase funding for cooperative businesses. Co-ops are a business model that stem from and respond to community needs making them more flexible and able to respond to challenges like the pandemic and post-pandemic recovery. They are the basis for people-centered economy, an economy that promotes equity and puts people over profit. Co-ops meet the needs of workers and community members rather than shareholders which means they are more likely to provide higher wages and benefits. I'm calling on the council to continue investment in cooperatives and training to start co-ops as part of our economic development plan by renewing funding. Thank you.

>> Delilah Comeaux.

[10:43:34 AM]

>> Delilah, please unmute. Eliza Epstein.

>> Hang on one sec. Good morning. My name is Eliza Epstein and I am a member of

[indiscernible]. I really -- I don't have a formal thing to say right now but y'all invested all this time and all this energy in reimagining public safety. It's really important that Austin was taking steps forward to defund police that we know are violent and disproportionately violent against people of color who harm people of color in our community. We can think differently about what it means to be safe. You should not -- I know that the state is putting down restrictions on the way we can

[10:44:34 AM]

use the police budget but there is no reason to invest more in the police budget than we have to and there are ways to move what's happening inside of a police budget and make it actually about safety. You have so many good recommendations in reimagining public safety task force. Please pay attention to them. Thank you for the time.

>> Delilah loyaco Moe.

>> Press one to listen to your message. Press two --

>> Mary Chisholm.

>> My name is Mary Chisholm, I live in district 4 and I ask you to think about public safety in the terms of the impact that all kinds of different staff can have on our safety. You will hear people say that a police presence reduces crime. You won't hear those same people acknowledge that any increase in foot traffic or the

[10:45:35 AM]

presence of different kinds of folks also reduces crime. Studies of the impact of police are rarely measured against the impact of some other kind of intervention. You have an opportunity because your constituents demand it to learn how much safety will be added to the Austin experience by adding park rangers, ems, community health workers, and other kinds of helpful folks. I want to focus on the reimagine task force recommendation that you replace police with ems. If ems need police they should call in patrol officers just like the police do with ems. Ems can better handle health emergencies common among those on boats or near the water. We support this recommendation and the estimated \$1.4 million in investment. Thank you for your time.

>> Jonathan Croson.

>> Hi, can you hear me?

>> Yes, go ahead, please.

>> The one time I called police

[10:46:36 AM]

they never showed up. After three hours I called 9-1-1 again and said they were sorry, police are too busy with calls. This was three years ago. Driving back home I saw not one but four police SUVs parked in the various usual spots where they sat off of east Riverside. This is less than a mile drive. They usually sit off Riverside with their engines running. While the police never showed up the one time I called up for help three years ago they were there to place me in a chokehold. The crime of sitting in a park after hours. I could go on and on with these experiences. What they have taught me is it is not the content of your actions, it's where you are and on what side of the tracks. And I've grown up in a society that has overfunded police and underfunded community services, public health, et cetera. That has deepened this divide and created a world in which the context of your actions but what side of the tracks you're walking on. I'm a skinny white man.

[10:47:37 AM]

I have been detained and restrained more times than I could count and I have never committed a violence offense.

>> Speaker, your time has expired. Amelia Casas. Amelia, please unmute.

>> Can you hear me?

>> Yes, go ahead.

>> Hi, good morning. My name is Amelia Casas, I'm a resident of district 6 and policy analyst. We're in opposition to item 96 has its extends the violence against vulnerable community members. In the last several weeks clean up of camps have resulted in

[indiscernible] And destroyed including individuals' belongings and tents. Relief enterprises is almost always accompanied by law enforcement. One gentleman was told that he was being cited for excessive

[10:48:38 AM]

clutter. He can not stand unassisted and has mobility issues and was still given a ticket. Despite the city's ordinance identifying that law enforcement provide information on available shelters and housing. We

request that relief enterprises amend the contract to protect those experiencing homelessness, their belongings and if not the contract should cease and it should go towards housing and community care workers that will uphold the integrity of our unhoused neighbors. I will close for now. Thk you very much for your time.

>> Stacy Manzano.

>> Hello. My name is Stacy. I'm speaking about item 124 from district 5 with Ann kitchen, specifically around lgb tax credits to purchase land on Brandt road. I have four main topics I'd

[10:49:38 AM]

like to bring up and that is that the vote is unsafe. There is no walking or areas to actually access any type of public transportation for high density housing. It's unsafe for any type of travel. I would also like to bring up that the area itself is covered in trees and around natural waterways that could be better served as a park or community area as there's already been a lot of highdensity housing in the area and businesses taking up space. So there's no actual community area to come together. So I'm in opposition of the plan. Thank you.

>> Mayor, could I make a clarification, please? I just want to let the previous speaker know and others that what's in front of us today is tax credits and I certainly respect that you may have concerns -- and I share some of the concerns you mentioned -- but the vote today is not on

[10:50:39 AM]

zoning and it is not definitive in terms of whether that property will be rezoned or not. So I just wanted to make that clarification. There's been some confusion about that.

>> Mayor Adler: Thank you. Clerk, please proceed.

>> Kendra Garrett. Kendra, please unmute. Robert foster.

>> Hello, everyone. My name is Robert foster. I'm a public school employee, third generation austinite and I'm just calling to oppose the \$8.5 million increase to the police budget. I understand that we're stuck between a rock being hb 1900 and a hard place being the property tax cap but an

[10:51:42 AM]

\$8.5 million increase given those situations is extremely irresponsible and will cut other necessary services. Though we got rid of Manley

[indiscernible] Cassidy is still there so I doubt we're going to see any cultural change in APD that should be needed before you give them any more funding. Thank you, guys so much for being brave.

>> Beverly lozar.

>> Can you hear me?

>> Yes, please proceed. My name is Beverly lozar, I live in district 8 and I'm here to speak on item 130. I'm a volunteer with ajc and I want to address the request you heard from the greater Austin crime commission last week that you add a third cadet class. Do not do that! It would be a recipe for disaster. This is a moment when you need to stand again for what you stood for last year.

[10:52:42 AM]

A better police department through real training reform. For the first time Austin now has a civilian group reviewing the curriculum. This has resulted in changes to every unit reviewed. But that group started late and will receive only a fraction of the material. Not good. We understand that Kroll is looking at all the material but it comes from a police perspective while our community members are providing a much-needed Austin community perspective on the same material. Currently ajc has been told that this budget supports the current cadet class which will finish in January. Then after a short period --

>> Speaker, your time has expired.

>> Will likely start in February.

>> Joy panticuff.

>> Yes, thank you very much. Can you hear me?

>> Yes, please proceed.

[10:53:44 AM]

>> Hello? Thank you. I speak to item 130. I'm Dr. Joy, professor of nursing. A leader in central Texas interfaith and board member of capitol idea. Thank you, mayor and council members for your ongoing direct support of local workforce development, efforts specifically long-term job training programs like capitol idea. Graduates of these programs receive associate degrees in nursing information technology and other areas. They have an average starting salary of \$50,000 annually, 80% of capitol idea grads are people of color and 70% of their children enroll in college directly out of high school. Thank you for supporting



[10:54:46 AM]

capital idea and programs that break the cycle of generational poverty.

>> Quinn Bratten.

>> Thank you very much. I'm here to speak on behalf of item 130 and item 176 on behalf of item 130 I would like to urge the city to continue their efforts to reimagine policing and community safety and not appropriate so much money to give to the same policing institutions that have been systemically violent towards communities of color. And in regards to 176 I think it's very important for the city to speak out against senate bill 1 and house bill 3 and fight for voter rights and to get the national government

[10:55:48 AM]

and federal government involved in a discourse to hopefully get those bills removed. Thank you very much.

>> Allen Jefferson. Sanow Patel.

>> Yes, hi, sorry about the delay. I'm a physician within the safety net hospital system here in Austin and I care for individuals and families that are admitted to the hospital and over the last 15, 16 months it's primarily involved caring for those hospitalized with severe covid illness. I don't have to tell you we are in the midst of a worsening public health crisis. Our patients and communities continue to struggle to make ends meet and in particular our low-income communities and communities of color, they

[10:56:50 AM]

continue to struggle. I want to put forward that this is a critical time to invest in our public health workforce. We do not need to be focusing on investing more in policing. We need to focus on investing in our public health workforce and specifically I'm talking about hiring more community health workers and the development of community health network and training hub. Community health workers are frontline public health workers. They develop close relationships with the communities that they serve. Because of this, they're able to field trust --

[timer]

>> Community health workers have been really effective --

>> Speaker, your time has expired. Allen Jefferson.

>> Yes, thank you so much. I'm Ellen Jefferson. I am the president and CEO of Austin pets alive and I appreciate the opportunity to

[10:57:50 AM]

Speak today about agenda item 57. I know you have a lot of on your plate so we appreciate your time. We support the 90-day extension of the land use partnership agreement for the town lake property. Our mission is to keep every pet in Austin safe, maintaining Austin's status as the safest place for homeless pets. We appreciate the next 90 days to work on our agreement with the city of Austin and thanks to council offices for working with us this week.

>> Keith young.

>> Good morning, city council. Like many of you I was disheartened to see hb 1900 to pass earlier this summer. While this does hamper the plans we set out for last year it should not be misconstrued -- [indiscernible] That keeps the peace by investing in the community and

[10:58:54 AM]

preventing crime. I urge the city council to meet hb 1900 and not allocate one more cent to the police. In a further deviation we agreed to last summer the proposed budget has grossly underfunded the recommendations made by the reimagine public safety task force. These oversights must be remediated before any budget is ratified. City council, thank you for your time.

>> Sara lambolt.

>> Hi, this is Sara, district 2, volunteer with Austin justice coalition. I'm speaking on item 130. To ask the governor to authorize the city to keep the funds [indiscernible] in place to address all kinds of crimes and to recognize changes in scientific practice and keep the lapse up to date. We also urge the city manager to request a waiver for our

[10:59:56 AM]

9-1-1 dispatch system making it a division of the mayor's office. This would eliminate overresponse and manage

[indiscernible]. Houston has had an integrated independent 9-1-1 center for more than a decade and Austin should do everything in its power to continue to move ahead with such common sense reforms. Today I would like to request an update from the city manager about this progress and seeking a waiver for 9-1-1 dispatch in accordance with hb 1900. Thank you.

>> Emily sawyer. Emily, please unmute. Laura grandfortuna.

[11:00:56 AM]

>> Hi, this is Laura from district 2. I'm a volunteer with ajc. Please don't give any more money to the police when we have so many other things that could use that budget allocation. For instance, city parks this year we hope to finally see the city invest in park rangers who can improve the security of our parks and act as educators and ambassadors. They don't leave austinites wondering I see police, is this park staff? Staffing our parks with park rangers will take time but I ask you fund as many as possible and commit to more in the future. We should also spend money doing -- put towards youth programs and other public programs related to the parks. Thank you.

>> Emily sawyer.

[11:01:58 AM]

>> Press one to listen --

>> Jonathan iken.

>> Yes, hello. Before I speak I have a presentation that Jeanette is going to play for the video before my time starts. Can you just let me know, Jeanette, when you have that video and my time begins, please.

>> Okay. Your presentation is up.

>> Thank you. I serve as the vice president of the parkside water creek hoa. We share the property line with Brandt road. This is regarding item no. 124. Per this video that is playing

[11:02:59 AM]

for you now, which is on Brandt road which they are proposing building 200 apartments on. My goal is to help you make your decision regarding the development as easy as possible with information about the area and situation. I had a call to Ann kitchen who shared significant concerns about the proposed development that needs to be addressed. Her concerns include wildlife, flooding, and transportation access. The developer claims to want to help serve the population but

[indiscernible] To a bus stop on this road you are seeing with no sidewalks and non-existent lighting. I request the delay so council can receive more information from the community regarding this development. Also there is no confusion about item 124's tax credit.

[Indiscernible] I would like my time to continue so that you can see this video until time

[11:04:02 AM]

expires.

[Timer]

>> Mayor Adler: Thank you.

>> Jody lane.

>> Good morning, I'm Jody lane and I'm calling in support of item 115 for the expansion of the food forest. From 2012 to 2014 myself and others spent two years meeting with community members about an environmental and institutional racism that the holly power plant brought upon them. I learned about the special role of gardening to fortify connections in the Latino neighborhoods. We brought food brought voices together which led us to grow an experimental food forest which is strengthening neighborhood voices and supporting seniors and providing emergency food access and support services.

[11:05:02 AM]

And free food 24/7. This is an abundant success and through the help of our fiscal sponsor, we ask you to approve the expansion of the food forest and harvest by 500%. Harvest that goes to the pantry and others. We are working on supporting over 80 food forests and community gardens in Austin to build community resilience and celebrate diversity while --

>> Speaker, your time has expired. Cesar Acosta.

>> Good morning, council and mayor. I live in St. John's neighborhood for the past six years. I'm here to speak in favor of item 26. So St. John's has been identified as one of the fastest gentrifying neighborhoods in the city of Austin because there is a lack of housing options and lack of affordable housing options for

[11:06:03 AM]

residents who live in that neighborhood. The proposed development between gray star and the housing authority can provide for 560 units, 280 would be available to people making 50% of the Ami of the area. Normally this is a project that has the financial ability to begin building this next year, something that is rare in most circumstances, certainly in this area. I really encourage y'all to consider allowing this agreement to move forward. This is an opportunity to not only get this development started but give an indication to a process that is community driven so it would be proof that the community can work with the council to provide both more housing and a way to stop the slow gentrification in the area. Thank you for your time and please consider voting to approve this negotiation process.

>> Stephanie park.

>> Hi, I'm Stephanie park, I'm the president of the Austin apartment association. Item 119 on council's agenda is

[11:07:05 AM]

the seventh extension of the requirement to send a resident who misses the rent payment a 60-day notice. Apartment rental housing providers do not support the extension of this ordinance. This ordinance was originally put into place over a year and a half ago to help allow any renter that was economically impacted by covid-19 to find resources for assistance. Ample assistance is now available. In the past year alone the city has distributed more than \$30 million in rental assistance. The state of Texas has sent an additional \$36.7 million. Anyone who is looking for assistance to maintain housing stability is finding it. Since this ordinance passed in March of 2020, so much has changed. In addition to the implementation of the city and county and state funds, you know, there are a few barriers to apply for those funds. You know, we have seen Austin employment rates fall in June to 4.4% compared to the state.

[11:08:06 AM]

We've added 2300 jobs.

>> Speaker, your time has expired. Crystal Moher.

>> Hi, my name is crystal and I'm a community member that lives in district 2 and I'm a member of the dsa. I wish to speak about how policing is detrimental to healthcare. After the past year and a half, personally my mental health is low. According to APD they are responding to approximately 90% of mental health related calls. I have had this happen to me while in mental health crisis and can tell you this was not the answer. A police officer is not a person you need to respond to you in these type of emergencies. Meadows mental health institute reported on APD's practices and made several recommendations. We need to improve training for 9-1-1 dispatchers, increase coordination with ems and telehealth access to

[11:09:07 AM]

clinicians, and create immediate care before and after inpatient mental health concerns. None of these involve increasing APD's budget yet this is what you are trying to do. Despite what the city of Austin now believes, we do not need to be increasing the budget. If anything we need to be allocating response to the mental health services, ems services --

>> Speaker, your time has expired.

>> Literally anything but APD. Thank you for your time.

>> Audrey Lucia.

>> Hi, my name is Audrey Lucia, I'm a paramedic for the city of Austin. I have been a paramedic here for eight and a half years. My husband also works for this department. We are asking for 12 ftes for ambulances. We are in a huge staffing crisis. We're tired from covid. We're tired from the ice storm

[11:10:08 AM]

and we just -- I mean, the call increases when we're short staffed increases fatigue and turnover. We're losing really good medics. My husband and I are in the position of asking my parents to drive six hour to watch our kids when we get called into mandatory overtime and we need to budget for more staff, please. That's what I'm asking you guys today. Thank you.

>> Illiana Ruben.

>> Mayor, if I may?

>> Mayor Adler: Yes, mayor pro tem?

>> Harper-madison: That last caller, can we ask that person to send us their information, please?

>> Mayor Adler: Yes. That last caller would send in that information. It's been requested.

>> Harper-madison: Thank you.

>> Illiana Ruben. Go ahead, please.

[11:11:09 AM]

>> Hi. I'm a resident of district 8 and I am just adding my opposition to the additional funding to APD. Not only does APD and police in general disproportionately harass people of color treating quote, unquote crime in our city focuses on the symptom rather than underlying problems. The money would be much better spent addressing the root problems of like quote, unquote crime, like economic inequalities, housing, healthcare. Please don't increase the APD budget any more and focus that attention on the reimaging public safety task force needs and proposals. Thank you so much.

>> Jessica Wolff.

>> Good morning, council, Jessica Wolff, deputy director

[11:12:12 AM]

at work's defense. I want to thank council member Casar. Many of our members live in district 4 and are in need of additional affordable housing and community services in that area. This proposal will provide just that. With being a third-party development we also want to thank city council members who voted unanimously in 2019 to include stronger construction work protection for all future third-party agreements. The request for proposal, council member Casar emphasized that the development would follow better builder standards and the city of Austin's construction training program. It is critical for developers to higher construction worker standards. With the inclusion of the program and the city of Austin's training program the construction workers on this project will have access to good safe jobs and training opportunities to excel in their career. We know the unsafe working conditions construction workers face in our state. We ask you to vote in favor of

[11:13:14 AM]

the St. John's proposal for today --

>> Speaker, your time has expired. >>

>> Mayor Adler: Thank you very much.

>> Emily sawyer.

>> Hello.

>> Go ahead, please.

>> Okay. My name is Emily sawyer. I live in district 4 and I'm also with ajc. I want to highlight a few budget priorities and our communities that have not been funded in this year's budget. The priorities are to especially sure that austinites threatened with displacement have the ability to stay in their home by expanding staffing of existing services and conducting anti-displacement planning for project connect. As well as creating services to help low and moderate income earners to do estate planning. Poc has eviction assistance

[11:14:16 AM]

to ensure tenants can stay in their home in the middle of a pandemic. By both expanding legal and other support services for renter households facing eviction and expanding emergency rental assistance program funding. I ask you to provide adequate staff, services and program funding to help Austin it's a to leap from relocating due to displacement or experiencing housing displacement due to eviction.

[Buzz].

>> Maddie brought.

>> Hi. My name is Maddie and I live in district 9. I understand that the city of Austin has to refund the police to a certain extent but to see excess funds allocated to them after tens of thousands of passionate demonstrations is not only disenheartenning, but disingenuous. We've thought hundreds of people from violence to APD and to continue to pump

[11:15:16 AM]

money into the department is to continue to fund these murders and the trauma that comes from them. You gave them about \$2 million for those recommendations.

[Indiscernible] Grassroots Austin, thra and

[indiscernible] To reallocate the excess funds. Additionally to ems who is understaffed and actually saving lives and to co-ops because I want to echo what Tracy said. Defund the police, thank you.

>> Frank necessarier.

>> Hi, can you hear me?

>> Yes.

>> I am frank from city council district one and a volunteer with ajc and dha. Last year the city stood united in its decision to reimagine public safety for the benefit of all working

[11:16:17 AM]

class austinites when it invested in alternatives to policing. Over the past year we've made progress towards that goal and protected some of our most vulnerable neighbors, but despite this the state legislature attempted to divide us. We know that every dollar we put into APD now will permanently take away a dollar from our schools, housing and health care as many other callers have stated. It's time to stand up to save Austin from the punitive so-called solutions and approve a budget that maintains police funding at the minimum level required by hb1900 and no more so we continue to value the cities that we've literally painted on our street. For you your time and attention and I hope you have a great day.

>> Jessica Ramirez.

>> Hello. My name is Jessica Ramirez. I live in district 2. I very passionately oppose the funding of the Austin police department. I'm not sure if anyone is

[11:17:18 AM]



aware of Alex Gonzalez, junior who was murdered by an off duty police officer who had road rage. These laws that fear monger and produce the separation in our community is overwhelmingly insulting, degrading and segregating. Is community that supposed to be keeping Austin weird is keeping Austin racist. Please stop hurting our community. Do the right thing and not the white thing. If you are really Christian I would hope that you would recognize that Jesus was actually poor, homeless, love thy neighbor, passionate human who cared for his community, not one that wants to police the homelessness. And regulate our community just because of the way they look. It would be really helpful if you guys did -- [buzzer] I'm completely confused on why I actually have to --

>> Speaker, your time has expired.

[11:18:28 AM]

>> Coquette Hamilton.

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

>> Yes, please proceed.

>> Thank you. Hi, my name is Dr. Hamilton and I am happy to speak to you today regarding item 26, the redevelopment of St. Johns community. I am the founder of rise child development center, inc., a 501(c)3 anti-racist organization. I formed rise in 2018 and have had a very difficult time opening. And it's because of the market rate in the city of Austin are just too high to open up. So I'm sharing my story with you today because it shows why we need to include the proposal with capital a to include community benefit services in the St. Johns redevelopment project. I'm asking you to consider

[11:19:28 AM]

this because the St. Johns neighborhood is a childcare desert and you can change that by agreeing to allow capital a's benefit proposal to be part of the negotiations with gray star. Please don't let this opportunity pass us by.

[Buzzer]. Thank you for your consideration.

>> Ashley Benner.

>> Hi, my name is Ashley Benner. I'm a resident of draft 3 and volunteer with ajc. I oppose any increase in the police budget and want to speak about the many ways to improve response times through crimes by shifting tasks from sworn to non-sworn staff and eliminate unnecessary police response within the current staffing. Eliminate welfare checks and civilize these by investing in community health workers. To conduct checks and

[11:20:30 AM]

connect people with services. Technician and non-sworn staff who review witness and surveillance video with provide investigation without adding more police. We also recommend that our city manager have his staff at APD look internally to best use the resources currently available and come back with a report about how to meet the challenge of efficiency and proper delegation and allocation of time and resources before throwing money at a problem. Thank you.

>> Kendra Garrett.

>> Hi. My name is Kendra Garrett. I'm a community development commissioner and a resident of St. Johns. I urge you to support item 26. This will provide much needed housing workforce and leisure opportunities. Neighborhoods around the city do have their own flare and vibe, but under investment and under resource should not be part

[11:21:30 AM]

of its character. This project strives to keep the needs of the neighborhood and the surrounding community as well as its history and legacy. Developments such as these make a big stride towards meeting the district and city's housing goals while creating the affordable city that we imagine. This has been a long time coming but it's here and we're eager to see it come to fruition. Thank you so much for your time today.

>> Zenobia Joseph.

>> Thank you, mayor. I have a technical question. Can you tell me, mayor, before you start my time, will you be taking comments on budget August 11th, 12th or 13th?

>> Mayor Adler: Yes, this is the time for you to speak to budget?

>> No. It posted online August 11th, 12th and 13th as needed. I just wanted to know before I start my comments whether to speak today or then.

[11:22:31 AM]

>> Mayor Adler: Yes, there will be the ability to make comment when we take action. In August.

>> Okay. So we'll be able to speak again is what you're saying.

>> Mayor Adler: That's correct.

>> Okay. Thank you for clarifying. I just wanted to make comments specifically related to item 118 for councilmember tovo to include language that's actually specified in the federal register that closed on July 16th, 2021. Specifically there's language that specifies housing vouchers, residential counseling or housing navigation to facilitate household moves to high levels of economic opportunity and mobility. So I would ask her to include the high levels of economic opportunity as part of the homeless resolution as it relates specifically to the budget. I just wanted to call to your attention the city manager is supposed to report back August 1st to council as it relates to the black embassy. And I would ask you to

[11:23:31 AM]

recognize the black problems and apology that you made on March 4th, 2021 and to include language in budget with that as well. Specifically you have \$30 million between the city and Travis county and I wanted to call to your attention the need for transportation to get people to the jobs. It's \$4.7 million for the Parmer metro rapid

[indiscernible]. And that money [buzzer] Can come from the money that councilmember kitchen mentioned.

>> Speaker, your time has expired.

>> Tovo: Ms. Joseph, before Ms. Joseph disconnects -- are you still on the line?

>> Yes, I am, council member.

>> Tovo: Thank you for that suggestion. I'd like to take a look at it. Do you have -- have you sent us an email with that suggestion?

>> Yes, council member. And I apologize, but I usually write in the summary of the form itself, so the city clerk should be able to

[11:24:33 AM]

just forward you my registration form. It does have the specific provision. That language is actually there. And that would be something to [indiscernible] So it can get to you automatically.

>> Tovo: And just to clarify, did you also send us an email about it? You may have. I've got, I don't know, maybe 150 sitting waiting to be read.

>> Yes. I can actually send you a separate email, but if you need it for like a quick reference, she can send that to you now. It's actually in the queue. But I can actually send you a memorandum and give you what my suggestion is.

>> Tovo: That's fine. I imagine the city clerk can get that to me quickly. Thank you so very much.

>> You're welcome. Thank you for the question and thank you, mayor.

>> Mayor Adler: Okay, hang on. Colleagues, I'm going to recess the city council meeting right now and I'm going to convene the Austin housing finance corporation meeting so that Ms. Joseph can speak on that and then

[11:25:34 AM]

we're going to am ka back to the city council meeting. So today's city council meeting is being recessed here at 11:25 and I'm going to call to order here on July 29th, 2021 at 11:25 the meeting of the Austin housing finance corporation for the purpose of hearing speakers that have signed up. We're going to then recess the meeting and we'll bring it back up after we handle the consent agenda. Clerk, do we have any speakers? I think we have Ms. Joseph.

>> Zenobia Joseph.

>> Thank you, mayor, council members. I'm Zenobia Joseph. Mayor, I just really had technical questions about the item. Number 3 is what I registered for. Items 2 and 3 on the agenda actually had \$500,000 for the mortgage assistance and I was just wondering if council was going to match

[11:26:36 AM]

that amount. I didn't understand where there were two separate leadership items for the \$500,000 for mortgage assistance and then the last thing I had a concern about is that when I looked at the Texas department of housing and community affairs it appeared that the city of Austin was the only provider that would be giving this resource to the people who need assistance in the Travis county area. So if staff could just explain to the community how that process will work and approximately how many people they think they may be able to serve, I don't have any opposition obviously to receiving the funding, but that was just my technical comments and concerns. So I thank you for

[indiscernible].

[Buzzer].

>> Mayor Adler: Great, thank you. Council, I'm going to recess the meeting of the Austin housing finance corporation here at 11:27 if we have no other speakers. Clerk, do we have anybody else to speak?

>> That concludes all the speakers.

[11:27:37 AM]

>> Mayor Adler: So we'll recess the Austin housing finance corporation corporation meeting here at 11:27 and I'm going to reconvene the Austin city council meeting here at 11:27. We're now going to go, colleagues, to in-person speakers. I have a list. I'm going to go through and call the speakers on the list. Speakers will have one minute. Is Sylvia blanco here? Why don't you come on up. You have a minute to speak? While you're coming down is Derrick brown here? You will be on deck when she's done. Is lawyer Cortez here? You will be up third after the two people in front of you have a chance to speak. And you don't need to queue up. I don't need for people to stack. Keep your distance from each other, please. Go ahead. You have a minute.

[11:28:39 AM]

Ms. Blanco. Can you pull the microphone closer to you?

>> And just for clarification, this was more of a team group type of preparation. I'm not sure if that could be accommodated.

>> Mayor Adler: I'll call you one after the other.

>> All right. Good morning, mayor Adler and mayor pro tem and council members. I'm Sylvia blanco, chief officer for the housing authority. We're pleased to partner with gray star. We have provided deeply affordable housing for some of Austin's most vulnerable families. While safe housing is a safety net, it's a springboard for resources that improve quality of life. Haca has a successful track record of creating partnerships with organizations that provide impact of the services. St. Johns will also benefit from that village of

[11:29:39 AM]

partners that haca brings to the table. From after school programs, job training, we will tailor services based on the needs of the families who will call St. John home. From haca, long-term affordability of the housing units is also assured for at least 99 years. To provide more details on the affordability break down, I would like to turn it over to my colleague Ron Cole with the housing authority.

[Indiscernible]. My apologies.

>> Mayor Adler: How many people do you have?

>> We have a total of six members of the team. A few from gray star, several from the consulting folks and again one more person from the housing authority.

>> Mayor Adler: Okay. Go ahead and do that. Who is the next speaker that you have?

>> Well, we'd like to go ahead and set it up through --

>> Mayor Adler: I wanted to be able to check off a name from our list. Who is the next speaker that

[11:30:40 AM]

you had?

>> Derrick.

>> Mayor Adler: Derrick brown.

>> Is -- one minute. And is Laura Cortez next?

>> Mr. Mayor, my name is David Walsh and if possible could we please have Derrick brown after that? And then Mr. Ron Cole with the housing authority.

>> Mayor Adler: Do we have Mr. Walsh signed up to speak? Go ahead. You have one minute.

>> Great. Thank you, mayor and council members and thank you, city staff for the recommendation. My name is David Walsh, a developer with gray store. We appreciate being considered for this development. We are here for this site for the St. Johns community. We believe our team along with the city of Austin, Cortez consulting and tbg, is well equipped and experienced to continue to build on the great work that's been done to date with the neighborhood and refine this plan to suit their needs and desires in the community. Haca has a long-standing

[11:31:40 AM]

relationship with the Austin community and a great track record of long-term affordable housing, ownership and maintenance. Cortez consulting is very experienced bringing together stakeholders and will ensure diverse input and influences the design. Dbg is also an experienced city partner. For congregation, recreation and education. Members from our proposing team are here today to talk on a few key points and answer your questions. Next up is Mr. Brown. Thank you.

>> Mayor Adler: Thank you. Derrick brown?

>> Thank you and good morning. My name is Derrick brown, I'm the senior managing director at gray star in Austin. We're excited and committed to creating a great asset for the St. Johns community. Financially the proposal our team submitted requires no upfront city subsidy, no tax increment reinvestment zone and no new debt issuance.

[11:32:40 AM]

Further, under this proposal we are prepared to pay the full \$11 million required to pay off the existing debt at land closing. Throughout the negotiation of the master development agreement, we are

committed to exploring other city priorities as outlined in the motion sheets. We will lean on our partners to guide the programming and we will continually evaluate and report on the financial sustainability of the proposal. Thank you for having us today and we look forward to partnering with you and the St. Johns community members. Our next speaker is Ron Cole. With the housing authority of the city of Austin.

>> Sir, what's your name, please?

>> My name is Ron Cole.

>> Mayor Adler: Go ahead.

>> Good morning, mayor Adler, mayor pro tem, council members. I am the vice-president of asset management and housing development for the housing authority of the city of Austin. I really just wanted to

[11:33:41 AM]

share two key points with you all building on the affordability component of this project. The draft plan that was presented called the 580 multi-family units to be developed at which a minimum of 280 units will be set aside for affordable. 112 of these units will serve residents at 50% of the area median income. 140 units at 60% and 27 units at 70%. These units will be distributed equally amongst all the buildings and floor plans making them indistinguishable from the market rate units. As Ms. Blanca stated in her minute time, the affordable component will be secure for 99 years guaranteeing the long-term affordability for the project and the long-term security and stability for all the tenants that will be residing there. We're excited with our partnership with greystar and look forward to collaborating with all of you in the community to

[11:34:41 AM]

build a project we can be proud.

[Buzzer].

>> Casar: Mayor, Mr. Cole, will all be still present this afternoon since this item has been pulled?

>> Yes, we will.

>> Casar: I may have some for you when you are done with your preparation and probably in the afternoon.

>> Absolutely.

>> Good morning, mayor and council. I'm just going to move this slide presentation over or if I could get assistance to the fourth slide, please.

>> Mayor Adler: What is your name, please?

>> The clicker doesn't seem to be working.

>> Mayor Adler: What is your name, please.

>> Laura Cortez with Cortez consulting.

>> Mayor Adler: Go ahead.

>> Next slide, please. Thank you. My name again is Laura Cortez and our team is honored to be selected as a community engagement consultant for the St. Johns redevelopment project. It is our goal to build upon the community engagement work that has already been done for this project and

[11:35:43 AM]

ensure families feel a sense of ownership and are involved. We will coordinate multiple checkpoints and opportunities for residents to stay message board and informed. We will -- engaged and informed. We will have high quality childcare and integrate the community benefits already outlined into our work. Next slide, please. What our team at Cortez consulting has learned is a community engagement isn't about one firm or one project. It is about the people who live in the community and their desire and needs to have a better life for themselves and for their children. We pledge to honor the rich history of the St. John community and we will work diligently to see that the diverse voices of the children -- [buzzer] -- parents, teachers and community members who live in the St. Johns community will be honored. Thank you very much and I call our next speaker, Justin from tbg.

>> Casar: Mayor, can I ask Ms. Cortez a question?

[11:36:44 AM]

>> Mayor Adler: Go ahead.

>> Casar: I saw in your communication earlier this week you intend to set up a community advisory board moving forward if you're collected. Can you give us a few sentences on that, please?

>> Yes.

>> Casar: Would you let us know a lot a little bit more on what that community advisory board would look like.

>> Yes, we will.



>> Casar: Sorry, I was wondering if you could do that now.

>> Sorry, I couldn't hear you very well.

>> So could you rephrase your question?

>> Casar: We're all working in the masks into microphones thing. I don't know if this is for you or for other folks on the team, but we received a letter from your team yesterday, I think everyone on the dais, that moving forward you would set up a community advisory board to help the decision-making process and community engagement moving forward. Could you give us a little bit more on what -- how you envision that community advisory board doing its work?

>> Yes, absolutely. We will be looking to see if there's we want to make sure

[11:37:44 AM]

the community voices, those stakeholders who have already been involved and those individuals in the community, especially the leaders who already participate in engagement, that they are part of this advisory committee. We believe that we need to have them at the table and have their voices heard so we will be putting together by recommendations that you may have, members that may come forward that say they would like to participate and put together an advisory board to make sure we are incorporating this into our work.

>> Thank you.

>> Good morning. My name is Justin Barry.

>> We're excited to build upon the existing St. John and strengthen the connection of the overall parcel to the community. Next slide, please. Through additional community engagement and input the team will further develop the framework plan with the goals to expand and enhance

[11:38:44 AM]

the space while complementing and honoring the history of the neighborhood. Next slide, please. Building upon the existing park features, park enhancements could include shade walking trails, imagination driven splash pad and other community inspired play elements. Next slide, please. The expanded park provides an opportunity for features such as a community garden with ability to connect and grow together. Next slide, please. We envision this as a space for the community neighborhood with a face space for community events, farmers markets and other community events. Next slide, please. Most importantly find integrated opportunities to share the history and educational elements of the neighborhood through strategic partners.

[Buzzer]. Next slide, please.

>> Mayor Adler: This will be the last slide.

>> Thank you for your time.

>> Thank you.

>> Casar: Is that the final speaker from this?

>> Mayor Adler: I believe so.

[11:39:59 AM]

>> Casar: I think we will probably have more conversation this afternoon as we take up the actual item, but while we have you all here, first of all, I just want to thank everybody that proposed. All of the proposals were really excellent and I appreciate everyone's work. We do have a letter here from one of the other teams talking about some of their benefits and I wanted to hear from you about whether if we move forward with your proposal whether we could consider looking at whether health care and childcare and expansions of small businesses and community space and potential permanent supportive housing, if all of that are additional benefits that we could continue to talk about through the master development agreement process if your team is selected?

>> I'm sure I can speak for our whole team and tell you absolutely without question. I think there's so much more we can collaborate and

[11:41:00 AM]

produce here. It's hard to do something in a draft and I think our goal at least I can speak for the housing authority as well, is all the point that you just brought up are extremely important and we would be very excited to include any and all of them in our discussions as we work through the master development agreement, absolutely.

>> Thank you. Also, y'all scored very highly in many of the areas, especially on financial feasibility on the design and the amount of housing, the score was somewhat lower so are we able to work through together on a path to get more space, more commercial space, potentially more housing, especially if we partner together through the city's programs to get deeper and more affordability, do you see a path towards us getting there on some of those other issues like design, the amount of housing, the amount of space and the depth of affordability?

>> Absolutely. When we were vetting this partnership out prior to

[11:42:00 AM]

even submitting the rfp, it was important that we picked a developer partner that had the ability to be creative, flexible and knowing that there were going to be some changes and some tweaks to this draft plan. And I think absolutely they have the bandwidth and the ability to address those issues. And cater this property to whatever the community and what you all would like to see. I think we're very, very open to those discussions.

>> Casar: Thank you. And so folks know why I'm asking the questions. We haven't been allowed to talk this entire process, any of us. It's a little different, so thank y'all for giving me the grace of just asking two more questions. You've heard from multiple community groups before you spoke. I think there are some others signed up. The urban league, people's community clinic, houston-tillotson, childcare centers. If we move forward negotiating with you as the partner, would you work with them to see if they can partnership in the best way possible in the project with

[11:43:01 AM]

those organizations that are really faced in the neighborhood?

>> 100% for sure. And I know Ms. Cortez will be engaging in that as well and I know the housing authority through its partnerships already and with many of its partners will certainly open the floor to anyone and everyone in the community who has an interest in this organization.

>> And I would like to recognize the original owners of this property before it was the St. Johns school and then the home Depot, and I would that would like the importance of the history in the community. I haven't gotten to meet the folks at greystar before, but this is a piece of land where a lot of folks have felt that we have not achieved our goals in a neighborhood where there is distrust in the city. So I know you and really urge that we work together to make sure we don't let the community down here and instead create something we can be really proud of and I'm really confident that we can get there working

[11:44:03 AM]

together.

>> We assure you our team will do everything possible to make that happen, I'm confident of it. And we will give it our best and I know we'll succeed.

>> Casar: Thank you, sir.

>> Mayor Adler: Okay. We'll continue on --

>> Harper-madison: Mayor, I'm sorry, if I may?

>> Mayor Adler: Certainly.

>> Harper-madison: I want to offer my absolute support. My colleague has worked on this project for so long and did such a good job paying attention to the community and being very careful and mindful and thoughtful, councilmember Casar, you did such a good job here. And as we approach this part

[11:45:03 AM]

of the project where we have these other points of consideration. I am so proud of you and you have worked so hard and all the members of the community, all the stakeholder, I want everybody to understand that I recognize fully what has gone into this and fully appreciate all the hard work, all the mindfulness, all the thoughtfulness. I just want to tell y'all, you know, as we move forward. I recognize that there are some things that we still need to consider, but that said, thank you for being so thoughtful and so mindful during the course of this process. I think you've done well and bravo.

>> Mayor Adler: All right. This item has been pulled so we'll be able to discuss it

[11:46:04 AM]

this afternoon. We have 39 more speakers signed up to speak. The hope was to give them a chance to be able to speak. And we also have the 10 people signed up for citizen communication. Let's see how much we can get. This item will come back for us to discuss and at that time we can ask people other questions.

>> Jason Haskins? Not here. What about Kenny Connor? You have one minute. While you're coming down, is aecom McClennan here. Akim McClennan? No? What about Amy Rampy. No? What about Richard Suttle? Richard Suttle?

[11:47:04 AM]

No? What about Joann Mullanier. You will be up next after this speaker. Go ahead, sir.

>> Morning, council members. I'm Connor Kinney, principal with Capital A Housing, an affordable housing planning and development company here in Austin. I'm here to speak to you about the St. Johns site, item 26. We put together a package of affordability ownership housing. It doesn't get selected but we had on that team some people you heard from today, People's Community Clinic, Rise Child Development Center, Carter Design Associates, Austin Area Urban League, Guadalupe Development Corporation and Community Powered Workshop. We had consulted heavily with a lot of neighbors, work with UT. Came up with a great package that help many of the items in councilmember Casar's and Tovo's items they put

[11:48:06 AM]

online, health care, childcare, a community driven planning process, etcetera. I wanted to say that we have been in talks with greystar and we're very optimistic that we'll be able to not only be able to bring in the affordable housing housing but also those other components.

[Buzzer] It's a little complex. We're very optimistic about it. I think you have a summary of all the benefits that were in our package there.

>> Mayor Adler: Thank you very much. Joann? Is pat --

>> Tovo: Mayor, I apologize for interrupting here, but Mr. Kinney referred to a summary of the benefit. Maybe that was just distributed on the dais.

>> Mayor Adler: Yes, it was distributed on the dais.

>> Tovo: So if so, is -- could we ask our city staff to get is to the mayor pro tem and to me just for the public's benefit. I know that councilmember Casar referenced this earlier for these kinds of

[11:49:07 AM]

solicitations, those who are involved in any kind of proposals can't communicate directly with the council members. They can only communicate in public settings such as this one or through the designated staff person. So I would ask our designated staff person if she could make sure that mayor pro tem and I get that --

>> Mayor Adler: If you could get those to the council members. Thank you very much.

>> Tovo: Thank you.

>> Mayor Adler: Go ahead, ma'am. On deck I think is pat

[indiscernible].

>> Hello, thank you for allowing me to speak today. I've been volunteering at the Austin animal center for over four years. I'm speaking in regards to item 57. I request when negotiating the county between the city and Austin pets alive to please keep this issue that I'm going to talk about in line. The Austin animal center depends on Austin pets alive to do their part, which is taking 3,000 animals a year from Austin animal center

[11:50:07 AM]

per their contract. They are taking much less than that and I have got that information from the animal advisory commission's website. Instead of taking the full required amount of animals, they're taking animals from around Texas and using city property to house them. With Apa using the city property that should mean they should serve Austin and its homeless animals, animal center struggles with space to house animals on almost a regular basis. Please hold Austin pets alive to their contractual obligations. Thank you.

>> Mayor Adler: Thank you. Is Tim Anderson here? You will be up next. Go ahead.

>> Mayor, mayor pro tem and council members, my name is pat Valles Trelles. Austin petsly knife negotiated with the city for use of the animal shelter at

[11:51:08 AM]

lady bird lake. I am not opposed to a three month extension but I do have a concern that the community is not being allowed to know what is being negotiated. Will Apa will be able to reduce the number of animals they take from the animal center and increase the number of animals they take from other cities and counties? Please do not allow this contract to be negotiated without the community having an opportunity to know what is being changed from the current contract and how will it impacted .

>> Mayor Adler: Mr. Anderson, why don't you come on up.

[11:52:10 AM]

Is Amy krazman here? You will be on deck.

>> Good day. Pastor Tim Anderson talking about homelessness. I'm a leader with central Texas interfaith. Through my church and the organization that I direct, Austin city lutherans were engaged also to combat homelessness. Friends we need Austin city council to lead as homelessness becomes a crisis. You have \$84 million available in federal money. Tied up however in a contingency fund. We implore you to start using the 23 million that you have dedicated, and additionally release the 84 million to scale up efforts to combat homelessness in Austin. Faith communities and cti like my own have and continue to do their part to see that the hungry are fed and the unhoused are sheltered. But we can't do it alone. The federal government has not sent us millions of dollars, hundreds of millions of dollars, but they have sent it to you, our elected leaders.

[11:53:12 AM]

It's time for the Austin city council to take its rightful lead to combat homelessness and with this bold action to show county leaders, business partners -- [buzzer] -- That they can also follow in this path so that together we can all fight homelessness. Thank you.

>> Mayor Adler: Thank you. There's a lot of money that's being brought to bear on this and I appreciate the insistence and I appreciate as we all do the urgency. There's money being sent out the door from federal programs. There's probably a couple hundred million dollars at this point that we've identified that we are helping to get out into the community. I appreciate the urgency and the message to the community.

>> Thank you, mayor. We have a sense that there has been some idea that we kind of want to wait for business partners to kick in and the county, but we want to encourage you to take the lead because there will come a time when you run for

[11:54:14 AM]

election again most likely and those of us will remember that you took the bold action and made the right step at the right time to do something about homelessness in Austin.

>> Mayor Adler: And I appreciate that. I just want you to know that as we're trying to get those other partners in, it's not delaying any money getting out. Thank you. Is Amy here? Why don't you come down. While that's happening is Nicholas Basha here? No? What about Barry Catalina? You will be next. Go ahead.

>> Hello, my name is Amy. I am a volunteer with ajc. I live in district 9. I'm also a registered nurse. I have extensive experience working on various acute psych floors and act teams in downtown Brooklyn and new York. Recently I moved back to Austin and my first job was in the ash forensic unit.

[11:55:15 AM]

I'm here to ask for the funding to invest in alternatives to police response to calls that are mental health related and my recommendation is for there to be creation and implementation of new act and fact teams outside of the umbrella, the large umbrella of integral care. I think this diversion is necessary. Act teams provide intensive services to homeless individuals with severe mental illness and also who experience chronic homelessness and incarceration. The goals are to circumvent repeated hospitalizations and reduce incarceration, but also to provide affordable housing. Lastly, there's no amount of training that can be made available to police to make them the optimal responders to these calls. I think that the police still come in uniform and

[11:56:16 AM]

armed is an historical power dynamic that insights a huge trigger [buzzer]. Thank you for your time.

>> Mayor Adler: Thank you.

>> Harper-madison: Mayor, may I please ask a question of the last speaker?

>> Mayor Adler: Yes, please, mayor pro tem.

>> Harper-madison: The last speaker, given your experience, I would like very much for you to enlighten us about how you think we as a body could do a better job of providing the necessary services. So I'll give you a particular example. For example, it is very difficult for us to get medical power of attorney. And that's a thing that I worry about. And then I worry about the range, right? How we need to do a better

[11:57:17 AM]

job of taking care of people. Given your medical experience I'd like very much for you to -- if you can't respond in this particular setting, I'd like very much for you to just reach out to my colleagues and I and let us know how we can do a better job. So it doesn't matter if you -- if they say police, fire, ems or medical health services, mental health, if we don't have a place for people to go! So I'm just worried that we don't have the necessary services. In which case if you could speak to that briefly. And then if we could talk offline, what can we do -- what can we be doing better?

>> Thank you so much for that question. I think that with act teams there's a requirement to meet regularly, at least three times a month with

[11:58:17 AM]

these individuals that choose to receive these services. I agree with you that there are not enough treatment centers for across the board for youth and I know they're expanding at Dell children. And for adults and this is a complex issue where there needs to be more permanent supportive housing. I worked in Brooklyn at a housing first model and that will always be a concern is where to provide housing I would love to talk to you in person or email. I know that ash's design and recommendation does stress that Travis county needs to invest more in intermediate care, which act and fact teams are in fact intermediate care. And it is a very intensive care and it's a model that incorporates harm reduction as well as medical care for

[11:59:18 AM]



substance use and medical care and trauma focused care. I think that integral care has the teams, although my concern is I don't think that they're -- they are fully operable. I think there needs to be other teams and funding for other teams, new teams, to perform intensive act services. This is a model that's been around for a long time and I want to encourage that the funding is not completely --

>> Harper-madison: I don't want to interrupt you, but you said act. Is that an acronym?

>> Yes, it is. Sorry, I meant to explain it earlier. Act, assertive active community treatment. And you meet the person where they're at. If they're at the shelter, at the hospital, on the streets. To discuss their goals and their care in relation to --

[12:00:18 PM]

everyone on an argument team that receives act services have severe mental illness. And act is assertive community treatment. Fact is forensic assertive community treatment. And there is an overlap for sure. And I do think a public awareness of the capabilities and of act and fact teams is very important in regards to a lot about what we've been talking, many people have been talking about. There needs to be this awareness of what an act team, a successful act team, a dynamic act team that has looked at their own clinician biases can do for their particular population. Thank you for asking that question.

>> Harper-madison: Thank you. I appreciate your response. I would like very much for you to reach out to my office and I think some of my colleagues would also appreciate the opportunity to have an extended conversation with you.

>> I will gladly do that. Thank you, bye-bye.

>> Harper-madison: Thank you.

[12:01:19 PM]

>> Mayor Adler: Okay.

>> Good morning, mayor and city council. Thank you for the opportunity to provide input on this year's budget proposal. I am the community impact director for the American heart association in central Texas. Since 1924 the American heart association has been admitted to reducing cardiovascular disease and improve the health of Americans by providing innovative research, educating the public about healthy living and fighting for strong healthy policies. One is for nutrition security and we fully support the efforts to provide access for healthy options for all. According to the 2020 community assessment, the central Texas region has higher rates than the state averages for healthy food access, which is defined as the usda as living a half mile from the closest supermarket or grocery store. We support food delivery programs, transportation access and emergency resill lens. We especially support the development of a comprehensive food system

[12:02:19 PM]

plan to enable the city to make the best use of the opportunities and resources at its disposal. Too many families lack accessible locations by healthy meals. We are as a council to allocate resources in this year's budget to address these critical needs. Thank you for your time and have a great day.

>> Mayor Adler: What was your name, please?

>> Catalina.

>> Mayor Adler: Thank you very much. Thank you. Is Jeffrey Clemens here. Why don't you come down and speak? Is drew de la Santos here? You will be on deck? Go ahead.

>> Good afternoon now. Give me one second. All right. So my name is Jeffrey Clemens. I'm the chair of the college student commission and here to speak on item 31 -- 130, which is the budget. And -- but mostly in favor of an amendment by

[12:03:20 PM]

councilmember tovo to create a college food insecurity grant program. The amendment grew out of a recommendation our commission passed earlier this year in January and has the purpose of allocating \$25,000 for a pilot program where students from across the city's five campuses can apply to establish new programs that combat food insecurity on their campuses. Although I could tell you a number of statistics related to college food insecurity, such as the fact on average one in four college students say that they get at least one meal a day from a food pantry or similar program. I want to tell you one of the reasons that I support the program as a student. When I was a freshman in college at UT Arlington, which is obviously not in Austin, but I think it still applies.

[Buzzer]. I was forced to go hungry as I could not pay for a meal plan and without knowledge or access to food campus food programs I went hungry more nights than I would like to admit.

>> Mayor Adler: Thank you.

>> Thank you.

>> Mayor Adler: Next speaker is drew de la

[12:04:23 PM]

Santos. Thank you. Is cattia harrisman here? No? What about Serena hermentano? No? What about sue Gabriel? Are you Ms. Gabriel? You will be up next. Go ahead, please.

>> Good morning, council. I'm drew from data and on a personal note I definitely support all of the community calls to keep the police budget to a minimum as dictated by state law. And support investment in community projects and solutions. And I'm also here as a part of Austin cooperative business association, just to thank you guys for investing and funding cooperative business coaching and training.

[12:05:26 PM]

And I'd also like to ask you guys to renew the funding it for technical assistance and co-op business classes. This is important pause co-ops are community based businesses. They know what's happening on the ground and care about their community. For example, co-ops responded when winter storm uri hit. Collective campaigns helped in organizing clean water drops and black store ops distributed water from their brewery. Storms like this will continue to happen and co-ops are vital in addressing the ongoing climate change and challenges we face post pandemic. It's important to support cooperatives by it continuing funding. Thank you.

>> Hello, I'm sue Gabriel. I live in draft 3. I'm speaking on -- district 3. I'm speaking on behalf of ccu, ice out of Austin and Texas harm reliance. It is clear from last week's

[12:06:26 PM]

council meeting that you are not listening. Instead of doing the right thing by investing in real community safety, you are proposing to massively inflate the APD budget. You do not get to claim that you are reimagining public safety when you are reinvesting in the same failures? We know that you can do better when you go through this 4.5, whatever it is. This almost 5-million-dollar APD budget there will be no going backward. We are against this budget proposal. You don't get to use hb1900 as an excuse -- [buzzer] -- to continue Austin's history of oppression.

>> Mayor Adler: Thank you very much. Is Rick Calvin here?

[12:07:27 PM]

Come on down. Colleagues, we have about 23 or four more people depending on who is here. Come on down. After this speaker I'm going to go to citizen communication which has 10 speakers at three minutes. I don't know if you want to stay and get what could be the last 20 speakers or if you want to start when we come back, but I'll let you think about that when we're listening to this this speaker and getting ready to go to citizen communication. Go ahead, you have one minute, sir.

>> Thank you. My name is Rick Galvan. My pronouns are he/him. I am with a youth civic engagement organization here in Austin and the state of Texas. I'm also a student at UT Austin. I'm here to speak on budget and in favor of councilmember tovo's proposal to create a college food program. As a student here for four years I've seen students with food insecurity and running out of money because

[12:08:27 PM]

the cost of housing is sue high. Students are an essential part of the city and we deserve to be able to live in Austin without going hungry. I know that by working with students at several colleges. Councilmember tovo's amendment would help alleviate this problem for hundreds of students throughout the city and I hope that council will approve it. Thank you.

>> Mayor Adler: Thank you. Clerk, let's go to citizens communication. There are 10 speakers at three minutes each.

>> First speaker is Alice valesek.

>> I know that the city council is working with the homelessness and figure out a way to help them. And I metropolitan stored a lawn mowing business for about three years and they only hire homeless persons so they go out and pick up their employees sleeping

[12:09:27 PM]

under passes on the concrete behind dumpsters and in storm drains. Some people actually had cars that they lived in. So the goal was to move the persons from the streets to apartments of some sort. So during the three years these are my takeaways, my lessons learned, that having a job is really good. It gives a person an identity, a structure, hope, money, meditation helped quite a bit. I was kind of surprised about that. Gambling legal and illegal was a problem. It's very hard to work with paranoid or schizophrenia persons because it's hard for them to focus. I tried to figure out how to make my employees or this company's employees work better by giving them things like sleeping bags and clothes and food and pillows, you name it. That didn't work at all. It actually didn't work.

[12:10:31 PM]

What I found is most of the homeless persons had long-term addiction problems and that hurt them the most. It was so bad. They would actually spend their money on drugs rather than have food for the next day and they couldn't save money because they couldn't save ahead. So my failure rate was about 100%. I got a little bit close, but I had a very high failure rate long-term. I could help short-term, but not long-term. So I sent the city council some documents that I thought might be useful and looking into

how to really help, but the big problem is it's not homelessness, that's just a symptom. The big problem is drug addiction. You don't know that. People don't tell you that, you have to know them really well to talk about it. So that's what I have to say. So thank you very much.

[12:11:34 PM]

>> Christopher Daniels.

>> My concern is about the police chiefs. Too often we have too many police chiefs want to take office, but don't want the responsibility. And we look back over some of these officers who shoot people, but yet six months later they are getting their job back. That's not okay. We need to hold these people accountable for what they've done. If there's one of us who got shot we are going to get time for it, they don't. They just get a fine or termination and that's not right. I feel it should be more actions taken

[indiscernible], that's all I have to say.

[12:12:37 PM]

>> John iken.

>> Hello, Jeanette. Before my time begins can you please start the video, which is the driving of grant road, and let me know when my time begins.

>> Parker brant.

>> Hey there. So I'm a citizen of Austin and I'm also a representative of the Borgen project. I'll like to briefly go into what it is we do and why it is that I think Austin would benefit in supporting us on our mission. We're a nonpartisan, non-profit group that lobbies the federal government in order to increase the amount of foreign aid we send abroad. This stems from our belief that in the fight to end poverty the richest and most powerful nation on Earth should be doing more. Our main focus is a protection and expansion of

[12:13:38 PM]

the international affairs budget but we also fight the legislation that is similar outcomes, such as like the reach every mother and child act which if passed would help save the lives of over 600,000 and 15 million children by 2030. Now, you may be wondering how it's helping to end global poverty can affect Austin. There are actually multiple ways. For starters, Austin is rapidly growing in terms of business and the amount of like tech companies that are coming here and that trend shows little signs of stopping. When we help people out of poverty, not only is it a form of altruism, but an investment. If you're

making \$1.90 a day can barely make ends meet, much less use a Samsung phone, use Google or get a Dell laptop. When a country's purchasing power increases it can buy American goods, tech and help increase the prosperity of places such as Austin. There are other benefits as

[12:14:39 PM]

well such as [inaudible].

>> Mayor, John Iken's call dropped, so he is back on the line. John Iken.

>> While we try to reconnect with everyone else, the following speakers requested in-person. Is Ruben Rivera Clement here.

>> Mayor Adler: Come on down, it's three minutes,

[12:15:39 PM]

thank you.

>> I am Ruben Clement and I've been sending you emails and phone calls. The city manager, the assistant city manager, the mayor, and Greg Casar my council member, as well as occasionally all the council members through Austin, Texas.gov. I've the one that's been harassed by the police for over a decade by the crime unit. Because of this complaint against a commander and three lieutenants. The reason I filed against the three lieutenants is because none of them wanted to know who is the one that's over these police officers. So unfortunately when I

[12:16:40 PM]

filed a complaint, Sergeant Hecker Campos from internal affairs informed me that one of the lieutenants retired. Now, I'm not here to -- I'm so frustrated because they're using so much manpower for me, you know, harassing me. I've been threatened. I've been assaulted, you know? My windshield was smashed. My vehicle. I mean, this is not policing. I know I'm going to lose. The police have the upper hand. It's me against -- I don't know. I've got 36, three dozen of them recorded, video as well as pictures. And not one of these officers confess they are police, they want to lie and deceive. And I'm tired of it. I want something to be done. Whenever you stop emailing you, stop calling you, that means they stop harassing

[12:17:40 PM]

me. And like this one officer said, they sent some individuals to my apartment saying that I heard you're being investigated. Investigation? I'm looking forward to an investigation, but I didn't know -- this is what I want to know about. Is it true that a person that filed a complaint against a police officer is a crime? That's what I want to know. Because over a decade, over a decade -- look at my emails. Rcllemente213. And I'm here because I want you to see who I am. I'm tired and fed up with it. The police can do better. With all this crime rising, you know. And I can tell you right now manpower for one person, me. It's just a waste, complete waste. Campos is the one taking eternal affairs and like I

[12:18:43 PM]

told him, ain't nothing going to happen because the police are above the law and I can say that just like that one time -- [buzzer]. I have to say this. That one time when they stole some items out of my vehicle and I was told by the 911 caller who talked to her supervisor and informed me, and I quote, no one is going to investigate your accuse cuization because you're accusing a police officer, quote, unquote.

>> Mayor, we have one of the callers who dropped and he has one minute left. That is parker Brandt. Or not. So the next speaker is present, Ethan Smith. Up next is Anthony walker.

[12:19:56 PM]

>> This is great. It's essential to people in person. I have three minutes so I can take my time. This is my equity in the process that every three meetings or six weeks I get to speak for three minutes. And I get so much more equity when I can see people's faces and talk to them. And make a human connection, that thing that we've been missing for so long. So it's important for that and for everybody. I just graduated from UT. I did a thesis on how UT generates housing and equity policy, and the reason I come to city council is because you guys are engaged in a negotiation over the Brackenridge tract, which is a lot of capital. It's worth a lot of money. And I've studied this extensively, the process in

[12:20:57 PM]

the '80s and the '60s and the 30s. I know so much about that thing, it's crazy. Actually, the real history of the Brackenridge tract in the 60s is -- it's sealed. I tried to do an open records request on it. It's in the September 1964 meeting. And they still wouldn't release it to me, which I thought was interesting, east Austin though it's so long ago. But yeah, I just wanted to I wanted to answer any questions you might have. I'm trying to engage. I know this affects a few different districts. I'm trying to get UT to build housing and people are always wondering well, we can't get them to do it. How do we get them to do it? You guys could do it. I'm trying to work with some stakeholders here. Health south, I'm going to talk

about health south until it's done, done, done, because you have leverage there. You could get a major multiple of what you're going to get with mfi by --

[12:21:59 PM]

well, I won't talk to you about it, but you could also put that on the ledger against the golf course because when it comes to the golf course I feel like it's like a master yoda thing, there's do or not do, there's no try. And I don't think that the save many folks are going to -- I don't think it's set in stone they're going to come up with the money for it and it's just going to be a mess. But that's worth preserving. There are a lot of things in this town worth preserving. I live in cherrywood. That's a neighborhood worth preserving. There's a front house and a back house where I live. Four people live there. We pay not a lot. The way a developer is going redevelop that for a triplex so you get two more people, but all six of those people would probably pay twice what we're payingment you don't get affordable housing.

[Buzzer]. Please ask me a question. That's why I'm here, I hope you ask me a question.

[12:23:00 PM]

>> Mayor Adler: Next speaker.

>> John iken.

>> Hello, Jeanette, thank you for reconnecting me. Before my time begins can you let me know when my video begins and hit play and let me know when my time begins.

[12:24:31 PM]

>> Your presentation is up.

>> Thank you. My name is John and I serve as the vice-president of the

[indiscernible] Hoa, which has property line on brant road.

[Speaking rapidly]. There is a bicyclist on the road and how they are posing injury to themselves and others due to the road's condition. A prime example of this inadequate road. This land -- [rapid speech]. Has extensive wildlife established between two neighborhoods on a two lane road that is deteriorating that has no shoulders, sidewalks, no lane dividers and multiple hills and blind spots. There is an immense need for increased housing that is affordable in this city, however it must be in the right location that provides access to the city in a right way. This does not provide a safe place to live and it becomes



[12:25:33 PM]

obvious when you see the location.

[Buzzer].

[Rapid speed]. This development is inside an active floodplain. Literally per the site plan, the entire four story building with multiple units and parking lot is inside the floodplain itself. We asked at the very beginning how do you plan on dealing with the issue of being in a floodplain? They said, quote, all our buildings will be outside of the FEMA plain. They made the statement after they already had their site plan. They do not even understand floodplains. They have given multiple signals that they are planning to stick the city with improvement bills.

[Indiscernible]. They said if there's a

[12:26:33 PM]

situation where it does continue to destroy or you think it's disrupting it or making it worse, I think we have enough ammunition to go to the city of Austin and say it's time to upgrade the load. There are multiple instances of miss truths regarding the specific development to this community. They are saying what anyone wants to hear. You must ask yourself what they are telling you and question the statements and ask yourself, council, for

[rapid speech]. The development is not safe for our community. I object to the city granting tax credits to this developer. More of our tax dollars will be used to repair or remedy the situation. The developer should take care of all infrastructure costs considering their getting millions of dollars of tax credits. Tax credits should be better utilized for other developments that are safer for the community. Please do not grant tax credits at this time for

[12:27:33 PM]

ldg. I request a delay on 124 so we can get more information on the site and I object to item 124. Thank you.

>> Anthony walker. Carol Harrison Lafayette. That concludes all the speakers, mayor.

>> Mayor Adler: All right, thank you very much. Colleagues, it looks like we have as many as about 20. I don't know if everybody is here. Do we want to just power through? That seems to be the will. All right. So let's call the next speaker. Is Amanda Garcia here? Is Isabel hair ra? You will be on deck?

[12:28:35 PM]

>> Harper-madison: Mayor Adler, if I may, I'm sorry, you guys. If we could take five minutes just for a quick -- a brief recess. After Ms. Garcia. Could we just take five minutes?

>> Mayor Adler: We'll do that after miss Garcia.

>> Harper-madison: Thank you. Go ahead.

>> Good afternoon, I'm a student at UT Austin and an organizer at Texas rising. I urge you to support councilmember tovo's food insecurity amendment to the city budget. As a student myself there have been countless days that I go without a meal and the only one I have is the one provided by my workplace and that's because I'm lucky my workplace offers free meals. This is not the case for most students. Most students struggle with food insecurity like myself. Of the 50,000 students at UT Austin, one in four students don't know where their next meal will come from. I'm sure you can all agree that even one student it facing this issue is one too

[12:29:35 PM]

many. The already harsh economic impacts of the pandemic was only magnified during the February winter storm where students, myself included, struggled to find housing and food. The effects of which are still felt by thousands of students across Austin. What we witnessed that week of the winter storm, the insecurity, the fear, the anxiety, that's what they face every single day and while we might not have snow everyday, we face food insecurity everyday, housing insecurity. So I hope that you support this proposition to the budget so Austin students can go back to doing what they should be doing best, being students. Thank you.

>> Mayor Adler: Thank you. Colleagues, it is 12:30. City council will be in recess here for five minutes and then we'll conclude and finish up the speakers and then we'll break for lunch. Five minutes.

[12:39:49 PM]

>> Mayor Adler: Okay. We're going to continue with our speakers. After we call the last speaker we'll break for lunch. Right after lunch we'll come back and do the consent calendar. I'm sorry, what? Right. All right. So the next speaker I have would be -- I think it's Bobby Garza is not here, it's Ben Herrera, come on down. On deck is Lindsay hunch in. Is Lindsay hunch ins here. What about Katie Naranjo. Katie Owens?

[12:40:50 PM]

You will be up next. U my name is Isabelle and I'm a rising senior at St. St.edwards university right across the lake. I'm here speaking on the budget in favor of councilmember tovo's amendment to create a college food insecurity program. Attending a private institution as a first generation student has shown me time and time again that poor students are thrown under the bus compared to more affluent students. There were things didn't do in college because I was hungry and didn't have the resources to probably take care of myself as a busy college student. This amendment would ensure that college students with limited resources would have something to fall back on. Would ensure that college campuses with ensure food security for anywhere students on top of everything else we have to worry about. Councilmember tovo's amendment would help alleviate a problem that is much too often overlooked

[12:41:50 PM]

and I am eager for you to support it. Thank you so much.

>> Mayor Adler: Thank you.

[Buzz]. Tatum Owens, come on down. Is Johnnie roof here? You will be up next. Go ahead.

>> Thank you. Good afternoon. My name is Tatum Owens. I live in district 9 and I'm also a student at UT with some of the other people I've been with. I will be speaking about councilmember tovo's college student food insecurity fund as well. And I am a part of one of your most vulnerable constituencies, young students. For some of us this is the first time providing for ourselves and as the city council you should recognize that this population is one of Austin's most vibrant and loudest. I think that this fund can do this. I am lucky. I come from a household where I never had on to worry about this myself, but when I moved to Austin I had the anxiety of producing my own food. I have a support system where if I need the help I

[12:42:50 PM]

can find it, but so many don't have this option. If you visit [data.austinstat](#) of Texas governor and look up the percentage of residents experiencing food insecurity you will find that it lays around 18%. However, specifically around the college campus areas there is clearly inadequate access to healthy food --

[buzz]. And low proximity to healthy food. Therefore this is representative of how food insecurity affects us as not only students, but as residents in need of a resource.

>> Mayor Adler: Thank you very much.

>> Thank you.

>> Mayor Adler: Is -- as Mr. Rivera is coming down is Wallace Collin here? You will be up next. Go ahead, sir.

>> Hi. My name is Johnnie. I'm an organizer with Texas rising and a college student a right here in Austin. I'm here today also, no surprise, to speak in favor of councilmember tovo's amendment to the budget. And I'm really happy to be here to hammer down the point that this is an important issue that often times is underdiscussed and overlooked. The fact of the matter is this was my first year in college. I moved here in the middle

[12:43:51 PM]

of the pandemic so it was the first time that I had to provide for myself and at the same time my family back in. El Paso was struggling because that community was hit hard by the covid-19 pandemic. I didn't have that financial support and food was the last thing on my mind which obviously shouldn't have to be the case for a lot of college student. This definitely impacted my academic performance, it impacted how I related to my community and I'm positive that if we give this amendment the time that it deserves if this council puts effort into ensuring that student hunger and student poverty in general is being discussed and being addressed, we're going to see benefits not only in the academic world, but in the way that students relate to their community. So I think this is a really great opportunity and I hook forward to seeing you guys support it. Thank you so much.

[Buzzer].

>> Mayor Adler: Thank you. Is Lydia would have Ford here? You will be up next. Go ahead, sir.

>> Good morning, mayor, mayor pro tem, council members. Thank you for the opportunity to speak today.

[12:44:52 PM]

My name is Collin Wallis, CEO of the Austin parks foundation. We are here today to respectfully request some additional unmet needs funding for the parks and recreation department to the tune of a little over five million dollars. The funding we're requesting would support community engagement, ftes and design facilities and grounds maintenance, infrastructure maintenance, particularly the turner Roberts annex roof, park rangers, park rangers, park rangers. The youth cadet program, pards out of school time after school program and student transportation, resurfacing courts and ball field maintenance. These are not sexy new things. They're pretty basic things that we're seeing so many people during the pandemic use. So we really appreciate your consideration of these requests. Thank you. Thank

[12:45:59 PM]

>> Mayor, mayor pro tem, members of council, it's a pleasure to be with you here in person today, I'm [indiscernible] Here as a represent of Austin parks foundation, but also to speak on behalf of all of our parks partners. To echo Collin's remarks, I want to encourage you to please support the \$5.4 million in additional funding for the parks department's annual operating budget. And specifically I want to direct your attention to the \$1.2 million for after-school care expansion for the parks department. As a mother of three, I am -- in reality about the costs of childcare and the importance of out of school time for our youth and I really encourage you to revisit the presentation that staff made to the parks board about their actual physical capacity to serve more students and yet they don't have the funding to do so. I really encourage you to fund the entire 5.4 million, but I would really today want you to focus that

[12:47:01 PM]

attention on the after-school programs because we should be serving our children better. Thank you.

>> Mayor Adler: Thank you. Is Charlie botter here? No? What about Erica Elliott? No? What about zenen hemez Perez? No, what about Ruben? No? What about Ethan Smith? No? What about Anthony walker?

>> No? What about Carroll Harrison Lafayette? No? What about Madeleine acrie?

[12:48:04 PM]

Cheryl -- what about Cheryl Thompson? No. What about Sarah --

[indiscernible]? No. What about Lorraine Atherton? No. What about Myra

[indiscernible] Yep. Okay. No. Okay. Clerk, I think we have called all of the speakers. All right. Colleagues, it is 12:48. We're going to take a recess and then come back and do the consent agenda. Just to -- to confirm, the things that I'm showing okay the pulled items are items 1, 4, 8, 26, 27, 29, 43, 54,

[12:49:13 PM]

55, 82, 103, also -- 119, 170, 171, and 177, 118 has an amendment that's in backup, it was given to everybody just as the phrase that I said that I was going to [indiscernible] Work session, so with that amendment, that's what's on consent. Yes, councilmember alter?

>> Alter: I just discovered that five of my questions I submitted on Monday for five different items were not answered. I don't know why, but we looked at them and there's one item that I definitely need the answer for before I vote and that's item 76. So I would like to pull that.

>> Mayor Adler: Okay. Let's pull 76. All right. Colleagues, it is -- yes, councilmember Ellis?

>> Ellis: Mayor, I think

[12:50:13 PM]

it would be prudent to pull 175. I was looking at that one earlier and I would like the opportunity to not have that one go on consent.

>> Mayor Adler: Okay, we will pull 175.

>> On 175 I submitted a motion sheet for an amendment, I would like to withdraw that, thank you.

>> Mayor Adler: Okay. .

>> All right. Then maybe it can go on, I just have comments.

>> I do as well.

>> Okay. Just I see the mayor pro tem had amendments on the message board as well. Maybe we can stay on consent but we will make it fast.

>> Mayor Adler: We will pull 175 then. Sorry? We're pulling 175. All right. With that, it is 12:50. Councilmember tovo? You are muted. You are muted.

[12:51:21 PM]

>> Mayor, while she unmouths, we had talked about taking up 26 when we came out of executive session. Are we still on that path?

>> Mayor Adler: Yes.

>> Casar: Thank you, mayor.

>> Mayor Adler: Kathie, we can't hear you.

>> Tovo: I know.

>> Mayor Adler: Go ahead.

>> Tovo: It wasn't a muting issue, there was some other glitch. Mayor, I would just like to say in -- in light of the huge number of items that we have on here and the huge number of amendments flying around and motion sheets, including multiple ones for me, I apologize, there may be some additional items I

need to pull from consent when we come back. If we could take just two minutes to kind of run through -- if people could just let us know what amendments are out there, which are not. That might be helpful. And if you could just do the complete list again, there were some other items added as you were talking, so --

>> Mayor Adler: Let's go ahead and do that. I'm going to read the items that have been pulled.

[12:52:22 PM]

And if people have amendments that they are going to bring forward, if they could quickly, don't explain them, don't anything other than just identify that you have an amendment and they have been posted. Okay? The items that I'm showing

being pulled are: 1, 4, 8, 26, 27, 29, 43, 54, 55, 76, 82, 103, 119, 170, 171, and 175. And 177.

>> Kitchen: Mayor, I'm so sorry, that was so fast -- I couldn't make sure -- sorry.

>> Mayor Adler: I'll do it more slowly. Okay. Item 1, 4, 8, 26, 27, 29,

[12:53:25 PM]

43, 54, 55, 76, 82, 103, 119, 170, 171, 175, and 177.

>> Kitchen: Okay. Thank you.

>> Mayor Adler: Okay.

-- So if people have amendments that are pending, I want people to identify what they just -- what they have amendments to. Councilmember alter?

>> Alter: Is it possible to clarify the pulled items first, mayor, before we hit that next section?

[Tovo]

>> Mayor Adler: You mean read the list again?

>> Tovo: No. I need to add 24 to that list. I apologize.

[Indiscernible] Questions. Previously I had written down 114 pulled by councilmember pool. Was I wrong on that score?

[12:54:27 PM]

>> Mayor Adler: She didn't pull it. She just added to the councilmembers that were contributing.

>> Tovo: My apologies. And I need to say -- that cues me to say that councilmember alter on the message board also added to that fee waiver, and -- .

>> Mayor Adler: Councilmember alter, do you want to --

>> Alter: Yes, I added 500 -- I was waiting until the comments on consent later, but yes.

>> Tovo: Great.

>> Mayor Adler: All right. Now, if anybody has any amendments and want to identify them so we can all find them during lunch. Councilmember alter?

>> Alter: So for item 1, I don't have an amendment, but for simplicity sake I was pulling it. I just want to postpone the June 10th minutes and pass the rest of them. But I think it's just easier

[12:55:27 PM]

if we read them separate. That will be quick. Item 4 this is the recycling contract. I have direction for the negotiation process that I posted to the message board. And then for item 82, I have direction on the message board that I posted. 103 I want to postpone and 43 I want to just bring into the record and speak briefly to that item.

>> Mayor Adler: What was the last number?

>> Alter: 43.

>> Mayor Adler: 43?

>> Alter: Yeah. 76 I will need to ask some more questions about. But I don't have an amendment at this point.

>> Mayor Adler: Which number was that, I'm sorry?

>> Alter: 76.

>> Mayor Adler: So you anticipate an amendment but don't have it yet --

>> Alter: I need the answers to my question to know if I need to file an amendment.

>> Mayor Adler: Got it. Manager, if there's a way to get answers that would be

[12:56:29 PM]

great. Councilmember kitchen?



>> Kitchen: I have an amendment that I posted on the message board to item no. 43.

>> Mayor Adler: Okay. All right. Councilmember pool?

>> Pool: Councilmember Renteria and I are working on 177. I know that it's going to be discussed in executive session, so I just wanted to flag that.

>> Mayor Adler: Okay. We will discuss that in executive session before we take any action. Anybody else have any amendments? Yes, councilmember Ellis?

>> Ellis: Thank you for keeping track of all of these moving parts. I wanted to on the sunshine run, item 114, I wanted to let the clerk's office and finance know I want to up it to \$500.

>> Mayor Adler: To 500 --

>> Ellis: It's listed at 250 and I would like that number to read 500.

>> Mayor Adler: Sounds good. Any other amendments?

>> Mayor?

>> Mayor Adler: I think someone mentioned the mayor

[12:57:29 PM]

pro tem had some amendments to -- to 175. That have been posted. So people should look for that.

>> Mayor?

>> Mayor Adler: Yes.

>> Tovo: I have circulated multiple -- multiple sheets on a variety of items. And I believe the last version of all of these are on the message board. Apologies but we're trying to address as many questions and concerns as are coming in. I think we need to give everybody a lot of grace here today with -- with more than 180 items on the agenda, our community and some of our colleagues are -- you know, raising questions.

>> Mayor Adler: What are the numbers, councilmember tovo, that you have --

>> Tovo: I'm about to tell you that. That was just --

[indiscernible] So item no. 54, which is the days inn I have circulated a motion --

>> Mayor Adler: Okay.

>> Tovo: 175 the downtown safety resolution, safer sixth street resolution has

[12:58:31 PM]

an amended version. And this was already in the backup, but just to call your attention to it, my ifc on the mental health diversion center had a very brief, a very small amendment that was made in response to one of the co-sponsors and that was posted in the backup. I did circulate a couple versions of my direction for the saint John project and that should also be in your in box now, too.

>> Mayor Adler: Okay. And that's -- that's item no. 26.

>> What number was the mental health diversion?

>> Mayor Adler: The mental health item was 174.

>> Tovo: Because those amendments were put in before the posting deadline yesterday, I believe that was -- I believe that is just available on the website.

>> Mayor Adler: Yes, that's staying on consent. Also there was a similar amendment posted on 118, that's staying on consent as

[12:59:33 PM]

well. All right. With that, then --

>> Kitchen: Mayor, I'm so sorry. I forgot to mention on item no. 113, which is a waiver, it's the -- it's the reimbursing certain fees for the Barton springs pool passes. My five co-sponsors and I have put in dollars to that, but we are still 550 short. So if anyone wants to add to that, I would invite you to.

>> Mayor Adler: Okay. All right. Yes --

>> Fuentes: I'm happy to add to that 550.

>> Mayor Adler: Councilmember Fuentes adds to that.

>> Tovo: Does that clear the balance because I intended to check to my office with how much that I have left --

>> Mayor Adler: 550 gives councilmember kitchen what she said she needed. Do you need any more?

>> Kitchen: If you would like to add to it, I'm sure that we can make arrangements --

>> Tovo: I would like --

[1:00:34 PM]

let me say -- I'll say up to 150.

>> Mayor Adler: Councilmember tovo adds an additional 150.

>> Kitchen: Thank you.

>> Mayor Adler: All right. 1:00, are we ready? How long do you guys want to take a break? At 2:00 we are going to start calling zoning speakers, so we're going to handle as much as we can handle before we call zoning speakers. Do you want to go all the way until 2:00 and start when we come back with zoning speakers before we do the consent or do you want to come back earlier than 2:00? We have about -- about 40 speakers, I think, that are signed up on zoning at 3 minutes each, if they all speak, that's about two hours of speakers for zoning. Councilmember kitchen?

>> Kitchen: Well, just for me, my preference is to take the time for lunch and come back at 2:00.

>> Mayor Adler: Okay. I'm seeing people shake their head yes. Anybody want to come back earlier than two. One person, yes, councilmember alter?

>> Alter: I would come back at 1:30, but if

[1:01:34 PM]

everyone wants to do 2:00 I'm fine with that.

>> Mayor Adler: Councilmember Casar.

>> Casar: When are we planning on taking up executive session?

>> Mayor Adler: After we -- I mean later in the day.

>> Casar: Understood, I didn't know if we were doing it over lunch.

>> Mayor Adler: Huh?

>> Casar: Folks would rather not take up lunch while we do exec?

>> Mayor Adler: I think people want a lunch break.

>> Casar: That's fine. In that case could we take up 26 after zoning speakers?

>> Mayor Adler: No, because we have executive session on that, right?

>> Casar: Not anymore.

>> Mayor Adler: Does anyone want to hear 26 on executive session? Okay. So we will take it up after we do consent.

>> Casar: After consent which would be after zoning speakers.

>> Mayor Adler: After zoning speakers I want to clear the consent to let staff go on both the recollection agenda and the zoning agenda. After we clear those two consents, then we can take up 26. I would urge you as we are

[1:02:36 PM]

considering 26 to remember that we have to -- tons of stuff on our agenda today. All right. So -- so 2:00 or 1:45? 2:00. All right. We're in recess now until 2:00, we will come back here and take up speakers and then the two consent agendas. We are in recess.

[Recess]

[2:02:18 PM]

[Music].

[2:10:46 PM]

>> Mayor Adler: We are going to hear speakers on zoning and then do zoning consent while we have Jerry here and then do the regular consent. When we're done with the regular consent we're going to do the non-consent items that have no discussion, so the public hearings and things we're going to acknowledge. Those things will move through very, very fast. And then we're going to do the St. Johns matter. We'll go into executive session, take care of that issue, come back out of executive session, then handle the pulled items from the regular agenda. And then do the pulled items. I think there will be two of them on zoning. Okay. So if the clerk would begin to call we're going to do all the remote speakers first and then we'll do any that are with us.

>> The first speaker is chip Harris.

>> How much time do I have?

>> Mayor Adler: Three

[2:11:47 PM]

minutes.

>> Thank you. Mayor and council members, thank you for the my name is chip Harris. The city's professional planning staff has done a remarkable job in this case and written a compelling report recognizing the benefits of growth, but cognizant of its potential unintended consequences, city staff's alternate recommendation of mf-4 finds the balance between the two. City guidelines state that mf-6 would be applied to a use in commercial facilities adjacent to a central business district, institution or employment center. This property fails to meet any of those criteria to qualify for mf-6ment I'm in

support of staff's appropriate alternate recommendation of mf-4 and request that you include a conditional overlay to ensure adequate protections

[2:12:48 PM]

for the single-family homes that border this property. The staff's recommendation lays out the path of reasonable, sustainable growth in our community. Over the past decade, the city of Austin has grown about 24%, but the crestview community has grown by 100%. Leaving the infrastructure needs horribly behind particularly when it comes to traffic issues. The city's report recommends a maximum height of 60 feet. Other projects in the area of comparable size such as the pearl and dart bowl, have a successful project with a 45-foot height. Staff's recommendation of 60 feet for this project is more than adequate. Thank you again for allowing me to speak.

>> Ruth lower.

[2:13:51 PM]

>> Yes. This is Ruth lower. I'm speaking about 1609 Matthews lane. I live in the neighborhood and own a duplex on Matthews lane. I speak today for both myself, my long-term tenants and the city's future. The request for rezoning will remove three affordable rental homes from the community and add up to 12 condos, crowded on to a half acre at the bottom of a hill with drainage on to the railroad tracks. This is just one of many dense developments planned for south Austin without a corresponding plan for infrastructure to manage storm water and runoff. The February 2017 city of Austin audit report on the flood buyout program found that retroactively buying flooded homes results in higher costs for the city. Of the nine buyout areas

[2:14:51 PM]

listed in the report, six were in south Austin. Over 300 homes in onion creek were bought, in addition to homes bought off of stassney lane. Much of this flooding was caused by construction and increased impervious cover upstream from the flooded neighborhoods much of that is runoff from this development. I want to be very clear which you're exchanging here. You're granting developers what they would like now in exchange to losing properties to flooding in future. The city will be forced to buy expensive lots back and lose the long-term tax revenue that a more sustainable development would bring. I ask that impervious cover and building on this lot be limited. 12 lots is too dense. The neighborhood association

[2:15:51 PM]

is working with the developer and councilmember kitchen's office on a more functional plan for this lot. Please do not approve the request until we can conclude these discussions. Thank you. I oppose to dense development without supporting infrastructure. Thank you.

>> Jeff Dickerson.

>> Hello. My name is Jeff Dickerson. Council members, mayor, thank you for the opportunity to speak. I am speaking in opposition to the increased density by this site, the Matthews lane neighborhood association and other homeowners. I've studied the impact of this development in regards to the following factors, traffic congestion and storm water drainage. Initial city staff reports as well as the applicants

[2:16:51 PM]

documents suggests that none of these factors would be an issue, but in fact the opposite is true. If the applicants were to reduce the density of the development and address traffic congestion and safety issues and the city staff properly address the storm water and insufficient it would be appropriate for Matthews lane association to approve the request for consideration of eight units two stories high. The applicant and staff does not address the current danger where this site is located at Matthews railroad crossing where the

[indiscernible] Divides the street. If there is to be high density development there needs to be a correspondent safety improvement to this area. I have given you slides, which I don't see being shown here, but on slides 2

[2:17:53 PM]

and 3 if they were shown you would see where the roads come out of the development, run smack dab right into the cones and right into the railroad tracks. The initial documents recommended by city staff is flawed and should be evaluated to determine proper density development as well as identification of essential storm water infrastructure improvements needed to site development. That has a chance to control drainage issues. In this area it involved construction of on-site water containment systems, which includes on the applicant side as well. This process of water containment construction speaks to the weak and inhibition of overall storm water planning design that is necessary to alleviate current and future events in this low lying area. It might also be important

[2:18:54 PM]

to point out that every time you approve water containment on the land you are in fact taking away buildable sites. That is a short-term thinking, and I think we need to take a step back and look at what is really proper for this neighborhood. Thank you very much.

[Buzzer].

>> Lulu Francois.

>> Good afternoon. My name is lulu and I'm here today to speak in opposition to case number c-14-2021-0023. Sh. 1701 east Anderson lane, which is a proposed 67-foot

[2:19:55 PM]

high apartment building complex. I live directly across buttermilk creek from the lot that the applicant is requesting to be rezoned at 7602 cobble cove. It's my hope that each one of you took the time to review the documents and videos provided to you by the residents of Coronado hills because they outline all the concerns and problems we have in far greater detail than can be presented in two minutes. My -- our four areas of concerns are security and trespassing that we're already experiencing with existing apartment complexes. Trash and debris along buttermilk creek, privacy, as well as the erosion and slow embankment creek down to buttermilk creek caused by flood waters that have been confirmed by the geotechnical engineering report that was submitted to you in the package of information. As concerned citizens we

[2:20:56 PM]

followed the rules and collected and submitted

[inaudible] Opposed to this proposed zoning is request. These signatures added up to 29.5% of all of the properties that fell within the 200-foot boundary, far greater than the required minimum 20% threshold to be considered a valid petition in opposition to this case. To have this developer change the request at the last manipulate so the percentage of signatures fell only to 8.41% to ensure that the majority of signatures would become invalidated is beyond dirty business. The city of Austin's planning process seems to allow this to happen without requiring any additional information from the developer and without any input from tax paying residents. This is the height of closed door politics. The problems that this development brings to the neighborhood don't go away.

[2:21:57 PM]

They can become even more pronounced because the developer knows he can get away with any design he wants since the city has given him the greenlight to do so. This is especially problematic as it relates to the serious erosion of buttermilk creek that is consultantly happening. The city of Austin should not reward this developer by approving this zoning request. If you do, it opens the door to all developers to follow this same type of dirty business practice. We are tax paying citizens and our voices and concerns should be heard above developers whose only goal is to make a profit. And I'm asking city councilmembers to vote in opposition of this zoning request.

[Buzzer]. Thank you for your time today.

>> Alexandria Anderson.

>> Hello, can you guys hear

[2:22:58 PM]

me?

>> Yes, go ahead.

>> Good afternoon, mayor Adler, mayor pro tem harper-madison and council members. I am co-chair of the east mlk combined contact team. I am speaking today against the case number c-14-20200029, the rezoning of 1200, 1202 and 1208 Springdale road. As I am not opposed to development this development is not compatible to the surrounding neighborhood, which is single-family. I am not in favor of a potentially 90-foot high mixed use building with a three to four story parking garage being built in the middle of a neighborhood located behind several homes which already deal with water flow and flood be

[2:23:59 PM]

issues. This upzoning with increased impervious cover and underground parking would radically increase flooding water flow, destroy the green space, our homes and all that we have built. If there is going to be huge density development, we would need to address the city's infrastructure, storm water drain and so many more issues. This development is also located directly next to our historically African-American cemetery, which still has not been given sufficient evidence that unmarked graves are located outside the graveyard boundaries, along with our neighborhood association's petition has not been recognized as valid, each though we got the signatures of the registered owners via ttech. The city should really commit to the study that concludes that there are no graves located outside this parcel. The technique used in the study was not supposed to work well in the clay. They only looked at a small area, found lots of anomalies, but only looked to a certain depth and



[2:24:59 PM]

concluded that the anomalies weren't graves and thirdly there was no control for this study. There are also several critical environmental features on the proposed lands, which is springs and wet land. Lastly, the overall affordability of the homes and apartments proposed to be built. This proposed development is a piece of a large development with 25 plus homes with pricing up to 70,000 plus. The developer at the last minute pulled out the 4120 east 12th development after there was more than sufficient signatures -- sufficient signed valid petitions against this development. Our level of care, pride and resilience we have for our areas, but most importantly our push for equity and preservation, because of the injustices that are still prevalent throughout the eastside.

[2:25:59 PM]

We live here and we thrive here. Please do not approve this development without real defined community benefits, a valid petition, along with addressing critical environmental features, infrastructure and affordability --

>> Speaker, your time has expired.

>> Libby lytton. >>

>> Hello. My name is Libby lytton. I am an engineer and my co-worker Sara is also at this meeting in-person. And we are just here to answer any questions in regards to the civil engineering work on item number 146, which is at 1701 east Anderson lane. Thank you.

>> Barbara Macarthur.

>> Hello?

>> Yes, please proceed.

[2:27:03 PM]

>> I have two

[indiscernible] I'm speaking on because I signed up for two things. The first is the burnet road rezoning to mf-6. And I'm speaking for the brentwood neighborhood association. We have two concerns about this and we put this in a letter, which you all received. One is that it set a press deponent special spot zoning. There are no tracts zoned for 90 feet between 45th and Anderson lane. And so this is a very special entitlement for this one lot. It is very incompatible with the surrounding properties and incompatible with the small businesses that occupy a lot of burnet road. The second reason is in the

traffic report written by your own staff, this tract is in the center of the street. It's not in an intersection. They say there are three curb cuts accessing burnet road depending on time Dave and day of week, full

[2:28:03 PM]

ingress and egress to the property may be difficult and staff does not recommend the proposed zoning for multi-family residence higher density as it would create significant traffic conflict especially in the peak periods. The Brentwood neighborhood association supports the staff recommendation of mf-4. Thank you. The second item I am speaking about is in the east mlk neighborhood. I am speaking for myself, Barbara Macarthur, but I am vp of the Austin neighborhoods council. We support many communities throughout Austin. For this case I am asking something very simple, listen to the community. This is a unique site. The property has deep springs, in a floodplain area and is approximate to the first African-American cemetery in Austin, Bethany cemetery. In the backup material you can see that there is a discrepancy in the cemetery boundaries which would indicate overlapping. While ground-penetrating

[2:29:05 PM]

radar found anomalies, they concluded that these were not graves. But nothing in the study showed what the actual graves on the site looked like. So there was no control for this analysis. It's not a big ask from the community for you to deny this upzoning to add the vmu to the existing gr. It will be a big message to the community if you ignore their overwhelmingly supported request for you to deny this rezoning in one of the remaining highest black census tracts in Austin. Thank you.

>> Janis renkin.

>> Are you calling for Janis renkin?

>> Yes, please proceed.

>> How much time do I have?

>> Three minutes.

>> Thank you. Mr. Mayor and council members, I am Janis renkin, a long time resident of

[2:30:06 PM]

district 7. I urge you to vote no on item 144 seeking mf-6 upzoning of 7113 burnet road from its commercial zoning to highest density. Today you have the opportunity to be good stewards for the

neighborhoods and support the responsible development decision of moderate density recommended by the senior planner on item 144 for mf-4 zoning. And require protective covenants for the crestview neighbors and traffic controls for the other neighborhoods. And surrounding neighborhood streets. Therefore I urge you to vote no on item 144. The mf-6 upzoning at 7113 burnet road is not justified and is unnecessary in order to build new apartment buildings, dwellings. New apartments can still be built with mf-4 zoning recommended by the senior

[2:31:08 PM]

planner. The trouble is the applicant is balking on mf-4 and refusing to offer protective covenants to the crestview neighbors also they agree not to object to the mf-6. The applicant's refusal to agree to mf-4 zoning along with protective covenants is coerce is sieve and places the neighborhood residents in an intolerable position. There's something the matter with that picture. The council should ask itself and the applicant why is compatible mf-4 zoning not sufficient? Room and it was not explored at the planning commission hearing. 7113 burnet road now has commercial zoning which offers the same height as mf-4, a 60-foot maximum. The applicant, csw Clarke should and could offer protective covenants to the residents of mf-4 since it would bring more noise and vehicle lighting and traffic than common commercial zoning but the applicant has

[2:32:11 PM]

refused. The applicant is not entitled to the special privilege in regard to mf-6 upzoning and it shunting granted. The council should vote no on the applicant's request and instead do the mf-4 zoning requested by the city's senior planner. The zoning for protective covenants for residents would show protective stewardship by the council and still allow housing. Please support the residents of crestview, brentwood and allandale for mf-4 with protective protect. There's no justifiable need to create an mf-6 marker at 7113 burnet and we don't need an apartment tower there. Remember this when it comes time to vote today. Item 144, the 7113 burnet road application --

[buzzer]. Between responsible --

>> Speaker, your time has expired.

[2:33:21 PM]

>> Gabrielle Garcia.

>> Hello. Hi, good afternoon, mayor and council members. My name is gabby Garcia. I'm the project coordinator with Asta. We support organizing tenants to effectuate they're rights and I'm here to speak

on item 166 on extending eviction protections. Through my work I encounter tenants who are still struggling to get back on their feet after dealing with the combined effects of the pandemic and the winter storm. Those who qualify for rental assistance often have to wait months for applications to be processed while landlords pressure and threaten them to self-evict. We know all the stress impacts mental and physical health and extending evictions will allow tenants to get caught up and at the same time I'm sure that covid-19 does not become worse. It's especially important right now to promote housing

[2:34:22 PM]

stability as we're seeing the cases in Austin spiking. Thank you for your time.

>> Melanie Dixon.

>> Yes, can you hear me?

>> Yes, please proceed.

>> Good afternoon, mayor Adler, mayor pro tem harper-madison and council members. My name is Melanie Dixon and I'm chair for the martin Luther king neighborhood association and co-chair for the east mlk contact team. The martin Luther king neighborhood association would like to request a postponement and is in opposition to item 141 concerning the 12th and Springdale residence for purposes of historical surroundings of Bethany cemetery and process for confirming the valid petition and ample discussion with developer to discuss benefits. While I speak in reference

[2:35:24 PM]

to item 141 on the agenda, I can't help but to mention item 117, Bethany cemetery, an historical landmark, as these two items are so intricately undefined. Unanimously we devoted to oppose the V requested by the developer, urban atx and provided with city guidelines in February of 2021. We followed those protocols for submitting a valid petition. July 23rd of 2021, five days before council, we learned that the one signature needed for validation, was invalid, which invalidates our opposition to the V request. We are very dissatisfied with the outcome of this process. As we waited for a city of Austin determination, city staff was not -- has not explained the legal rationale behind their decision to not recognize the valid zoning petition we signed. Until we see such an explanation in writing, the

[2:36:24 PM]

city council should not approve this zoning change. We ask mayor Adler, mayor pro tem harper-madison and council members not to support this up zoning. We ask for additional time to ascertain a clear understanding where we stand with our petition, we ask that we have environmental controls and concerns -- controls that meet our concerns. We ask that we look more into what is called true affordable housing. Please support the mlk request and thank you.

>> Ana Paredes. Ana, please unmute.

[2:37:31 PM]

Joseph Reynolds.

>> Hello, council and mayor. I'm Joe Reynolds. I oppose item 144. The overzealous 76 zoning requested for -- sf-6 zoning for burnet road will more than double traffic on residential streets as opposed to traffic from the sf-4 zoning. I have sent you material about this and a concise handout with a map showing it. The redevelopment of 7113 burnet results in increased traffic at peak times, about 2,000 extra trips if sf-6 is granted and a thousand trips of sf-4. This is with a shared access through the parking lot of the neighboring shopping center. This fails to meet requirements first because the turns are so constrained it's impossible for trucks such as those moving household belongings to use it. Second it puts the shopping center customers in great danger when a possible

[2:38:31 PM]

thousand cars with drive through a crowded parking lot used by pedestrians, moms with babies, dogs and distracted shoppers. The pickup pictures clearly show this. The applicant also recognized that the traffic exiting on to burnet directly from 7113 is a problem. The traffic can only go north on burnet since a left turn lane blocks turning south. This is also shown in the backup. Burnet is too narrow for U turns so this traffic is sent on to green lawn where in about eight seconds as they enter green lawn drivers choose one of three dangerous events. First a u-turn at the green lawn Daugherty intersection or second driving down a narrow residential street past 30 to 50 homes. And finally, using a home's driveway to turnaround. My handout shows these on a map. If the requested sf-6 is granted about 500 cars per day when departing the tract will perform one of these risky maneuvers endangering residents and property and pets. Rezoning to the sf-4 level

[2:39:33 PM]

advocated by staff reduce the number of trips and allows changes to address the troubles. The changes avoid the left-hand lane. No traffic is forced into the neighborhood. I ask that you do your civic duty. Put the safety of citizens above the desires of csw cart who are asking for a speculative rezoning so they can

sell to another developerment you through your oath have as much an obligation to control zoning and protect against traffic accidents as you do to protect against flood injury when restricting floodplain zoning. Please follow staff recommendations. Thank you.

>> Ana pareda.

>> Hi. Can you hear me?

>> Yes, please proceed.

>> Good afternoon, mayor and city councilmembers. My name is Ana and I represent Mcdowell housing partners, the developer for item 146 of the agenda. , Anderson creek affordable

[2:40:35 PM]

housing. We are proposing a zoning change to gr-mp, which is consistent with properties in the area, and is recommended by staff for approval. We're proposing 100% affordable 89 unit multi-family development. All the units will be restricted to an average of 60% mfi. Furthermore, we have committed five percent of the units to the continuing of care program with echo, ending community homeless coalition. We postponed our zoning case from the June 10th city council meeting to allow time to meet with the Coronado hills neighborhood association. We met with them on June 24. We understand their concerns about buttermilk creek and to that effect we will follow all the city's regulations regarding water quality, water treatment and detention, drainage and

[2:41:37 PM]

floodplain. Without following these regulations we won't be able to obtain our building permit, therefore we can guarantee we will maintain, improve and -- or improve the current conditions from the site into the buttermilk creek watershed. The neighborhood association also expressed concern about the amount of affordable houses in their neighborhood. And as you will see in our presentation from thrower design, the neighborhood does not have tax credit projects. There are some existing right-of-way mismanaged developments in the neighborhood that have nothing to do with the tax credit program we are proposing. Our proposed development will be strictly regulated by the compliance department of the Texas housing department and community affairs. During the affordability period with annual filed reviews and physical inspections every three

[2:42:37 PM]

years. Furthermore, affordability unlocked imposes additional restrictions and controls to the project. With real estate prices sky high in the city of north Austin, our project will address the urgent need of affordable housing in the city for hard-working families. We appreciate your consideration and approval of our zoning case. I will be available later for questions. Thank you so much.

>> Sonia seaman.

>> Yes. Thank you. Thank you, mayor Adler, mayor pro tem Natasha harper-madison and members of the city council. I'm speaking regarding item 141, the proposed rezoning for 12th and Springdale. I'm speaking against this

[2:43:39 PM]

zoning request. I am a member of the pecan springs neighborhood association, which is just north of this site. Also of the east mlk contact team and we within our neighborhood association have developed a response committee. We have formed this development response committee because so many large tracts of land are being purchased for development east of I-35 without regard to historical value, without regard to the requests of the residents for increased retail, grocery stores, pharmacies, community spaces, and for the tendency of many developers to zoom in immediately on steps sieve tall and -- extensive tall

[2:44:39 PM]

and broad buildings that take up a great deal of cover, impervious cover. We are already in danger of flooding not only Tannehill branch, which is the area by this site, but also above where my house is located, fort branch, because of the sheer number of multi-housing developments. Specifically with regard to 12th and Springdale, I want to cite the significance of the black history and the community needs in this area. The fact that the Bethany cemetery site has not been adequately explored is extremely disturbing and more work would need to be done. Secondly, their proposed would be six stories, which far exceeds the height of any other buildings in the area.

[2:45:40 PM]

And -- and the -- also the lack of affordability considerations. Our neighborhoods are already displacing long-term people of color, families of color, who are now having to move out to webberville, manor and even further to be able to afford their houses. We do not want to displace local residents. So I strongly urge the city council to listen carefully to the objections of my colleagues who have spoken earlier, to hold off on this rezoning until a satisfactory plan can be worked out between the developers and those in the immediate neighborhood. Thank you.

>> Eugene Sutton.

>> My name is Eugene Sutton. The president of the Matthews land neighborhood

[2:46:41 PM]

association. 6/10ths of an acre at Matthews lane is being rezoned with three story units proposed, 12. We had an offer of 10 units this morning. Besides traffic, infrastructure, roads, drainage is a paramount issue. We have met with watershed and drainage folks. We have learned that we need to report to 311 in order to build up the data base. Also number 26 on the list of places in needs of flooding remediation. Narrow rural roads with no curbs or sidewalks. Water flow is handled by bar ditches and remediation is cleaning out the ditch. The 1609 property is next to railroad tracks in the crossing, properties from manchaca to the west, Albert road to the east strain towards these tracks. Williamson creek watered is separated -- watershed is separated from boggy creek. The east side no drainage treatment until William cannon where there's a pond at the storage facility.

[2:47:41 PM]

Directly across from 1609 on the west a drainage broad, two more for south ridge

individual las: One plan for a -- following the tracts from Matthews lane to William cannon, ditches of increasing size exist for drainage. In looking at these property and others in the area, the tracks are indeed the low point. Future development assured five of 10 properties on the east side of the tracks are currently for sale or sold. Recent rezoning and development along Matthews to the east has four units with drainage ponds as well. The 1105 area has two and a half acres, but only one acre is outside of the floodplain and we have worked towards compromise of four units. We view the 10 three story units proposed to 1609 is excessive and initially recommended six two story single family homes. After discussion, we have amenable to six three story or eight two story. The eight units would be

[2:48:42 PM]

much more acceptable to those who live nearby and would increase affordability and provide for greater diversity. We did work on a valid petition but unfortunately we only achieved 16.5% as many of the owners don't live in the area. Thank you.

>> Karen Fernandez.

>> Hello?

>> Yes, go ahead.



>> Yes. Thank you, my name is Karen Fernandez, I am speaking in opposition to item 167, the 1609 Matthews lane project. Our neighborhood has been working with city staff and the developers to try to come to a consensus regarding the appropriate zoning. To that end we met with staff on July the 20th and it became apparent very quickly they were unaware of our unique features in our neighborhood. The very narrow roads with

[2:49:43 PM]

no sidewalks, curbs or drainage throughout. When we asked if the city could come and talk to city council with us to address these issues, they said it was not their place to do that, but that we were on the list. Not for this year or next, but perhaps the year after. When we discussed our flood map that we provided, they said they do not use our information we need to call 311. I myself called 311 the next day to report that I do have flooding every time we get rain. And I was told that unless it was flooding at the time, it was not something that they would take as a report. So my question that I have for city is who -- what -- who is going to represent us? I would expect that my councilmember would. And that you all would look out for us as long-time residents, voters, constituents, taxpayers. The only way that we can

[2:50:43 PM]

deal with this at this point is to have less impervious cover. Until the infrastructure, lack of that is, in our neighborhood is addressed, you should not be allowing these dense new developments that are going to just increase the flooding for the people that already live here. Thank you for your time.

>> Lake Burke.

>> Mayor, city council members thank you, I'm here to talk about 163 for the good night ranch planned unit development. While overall I do agree with the housing and

[indiscernible] Proposed my primary concern is that the plan doesn't do enough with the density that's been requested, which could hamper the livelihood of the southeast Austin area for years. When we bought into the neighborhood, there was a promise of building out a live, work, place area with centralized commercial that connects the north and south

[2:51:44 PM]

and provides a hub of activity for southeast Austin. After digging I found for this amendment it's been in the works since 2014, made a lot of changes along the way. The original plan had up to 1.2 million square feet of commercial and 4 and a half thousand dwelling units. The current amendment being proposed has 635,000 square feet of commercial and over 6,000 dwelling units. To put that into

perspective, they are asking for 39% more people, but a 50% reduction in overall commercial space. For comparison, Mueller is a similar size of 700 acres and the same amount of dwelling units, but it has 3.5 million square feet of commercial approved for. Good night ranch will have less than 20% of that same amount that it's not just about the quantity, but it the quality where the plan itself is actually spread the retail out which reduces walkability, less centralized access to banks, doctors, restaurants in the area, fewer jobs in district 2 that don't require car access. In my opinion, the plan is

[2:52:44 PM]

not currently in line with imagine Austin's ideal neighborhood center. This is not just about the good night ranch area, but rather for southeast Austin as a whole. The area is poised for growth with neighborhoods like Easton park and Bradshaw creek as well as houses being built near the Tesla giga factory. Currently any time that my family or anyone in the neighborhood has to go out somewhere, you're going to have to cross I-35. There's very few restaurants, services, hangout spaces that are actually in the southeast Austin area. You do have to go to other locations. Southeast Austin needs a centralized hub that is walkable, bikable and available via public transport that people can meet and do entertainment, eat and not actually require you to cross I-35. I propose ultimately that the plan -- actually match the original amount of commercial space and -- that was initially slated at 1.2 million square feet instead of the 635,000 that's being requested right now. If approved as is, the area

[2:53:45 PM]

will not be able to have additional retail unless another amendment comes to pass. I believe this is easily achieved by forcing any of the apartments that are actually built in the area to have retail at the bottom. Creating more centralized district for that commercial space. And will provide a minimal impact to the overall housing proposed, but a huge impact to east Austin area for years to come. Thanks.

>> Megan mizenback.

>> Hello. I would like to speak on item 141. Which is the 12th and Springdale road residences. There's so much backup information on this item and so many people are opposed to it and only the developers are for it. I think the ownership, the cemetery, is under review.

[2:54:45 PM]

And needs to be complete before you make your decision. I know it's been postponed but I think another postponement until the human graves are identified that might be next to it and a fair study. I don't think that the study that was done was fair and complete. I urge you to either deny the request or -- or ask -- I ask for postponement of item 141. Thank you.

>> Ty hovanke.

>> Hi, this is Ty hovanke, were the of district 5, calling in support of the rezoning for the block on south Lamar, 2700 south Lamar to M.F. 6. It seems like Austin is going through an affordable

[2:55:46 PM]

housing crisis, it seems that we need all of the housing units that we can get, whether they are labeled sometimes as affordable or even like the new luxury apartments, quote unquote, because tomorrow they become tomorrow's affordable apartments

[indiscernible]. Any height limits for the proposed building, I think the height limit of 75 feet would end up just giving us the -- the worst of both worlds because it would limit the number of affordable units that the applicant can provide and it's -- yeah, it's basically because it limits that like the amount of affordable housing. If more housing is not created then we'll inevitably see astronomic rise as in other cities like California comes to mind. Too many developments like -- like new developments choked out and then eventually rents rise to an untenable level and

[2:56:47 PM]

then it leads to worsening -- worsening homelessness. It's all deeply connected. In this case where it doesn't seem like there's a safety concern much like the valid concerns

[indiscernible] By other people here, for the

[indiscernible] Like to my knowledge there's not some issue say with flooding. To me it seems like a no brainer this would be something to go ahead with. While it does decrease some of the walkability, I can concede that. I do think an alternative like would be to add commercial units at the bottom of the apartment, that way you get a mix of business and residential units that would be ideal. But if not, I would much prefer that we have more housing built in general than less. Thank you.

>> Jason natowitz.

>> Good afternoon, council

[2:57:48 PM]

and mayor. My name is Jason. I wanted to speak in support of this development at Anderson creek in support of mcdowel housing partners. I am a new hire at Mcdow we will housing partners. I have been working in the state of Texas and also the thecity of Austin for the last 10 years. They are an may I seeing

company that stays with their word. An affordable housing and workforce development company and the arm of mcdowel housing partners, mcdowel properties. They are a national housing investment firm that is located in [indiscernible], Texas. Mcdowel partners and mcdowel properties is developed and owned and operated over 10,000 units in dallas/fort worth and across the state of Texas. Mcdowel housing partner's mission is to create and preserve high quality communities that provide America's workforce and seniors a safe and sustainable, affordable housing place to call home

[2:58:48 PM]

while implementing high value resident services and programs to ensure tenants have satisfaction and a way up. Mcdowel housing partners company vision is to take holistic approach to development. We value the engagement and input from the local community and surrounding neighborhoods. We also understand that working closely with local stakeholders will bring the voice of the surrounding community and to ensure that we are meeting the surrounding neighborhoods' goals. We hear a lot about the shortage of affordable housing and our team has met with the Coronado hills and creekside neighborhood association and we hear their concerns. We understand they are in opposition to the project and similarly we received opposition in our own development of city heights, which is currently under construction. But with the assistance of the city council members, we have been engaged in monthly meetings with them to help keep us informallied of the project's progress and to

[2:59:50 PM]

collaborate with that neighborhood so it can become our neighborhood as well. I thank you for your time and I look forward to seeing how this project works out. .>> Hi, name is

[indiscernible]. Can everybody hear me?

>> Yes.

>> I'm calling from Europe. I live in Europe now. So it's late at night for me. I'm calling about case number 162. C 14-2019-0059. And this is about a company called stripe is trying to build a gas station on 71. And they bought all of the land on 71 and 71 there is a

[3:00:52 PM]

street called base see avenue where there is residential homes. They tried to buy quite a few of properties, I own quite a few properties, they could not buy from some of the existing homeowners who have lived there for 50, 60 years. The -- the -- the neighborhood was created in 1949. Taken over by the city in 2001. Stripe was able to buy one of the lots, I do not know if you all can see the map in front of

you or not, because I cannot see anything from here. But now even though they have 150 feet frontage on 71, they are trying to build an entrance to the gas station between two residential homes. They are trying to convert a -- residential lot, they have torn down the house already. Into a driveway to a gas station between two

[3:01:53 PM]

residential homes where there are -- where there are octegarian, African-American family members. I honestly do not know how they are doing it in their right mind. I was engaged to -- in discussion with them for the last two years and we agreed that they will be having -- I mean, I supported their rezoning with the consideration that they will not be building a driveway through the neighborhood. Now they are -- and what this driveway will be doing is that this will be dragging 71 traffic from highway 71 into a residential neighborhood. To go into a gas station. So please think about it. If you are living in a house and somebody tells you now behind your house and next to your house will be gas station driveways, how would you feel? I mean, think about that noise pollution. I know their strategy they

[3:02:54 PM]

want after a few years these houses, owners are going to sell the house and they are going to buy those, also. But I don't think this is the correct way to approach the problem. I think they should buy out the owners at a much higher price if they ask for it. So I would request you to look into case 162. Because there are also some compatibility issues of 25 feet compatibility commercial property need to have.

[ Buzzer sounding] From a residential property. Those are not being fold and it is being -- speaker, your time has expired.

>> Thank you.

>> Tanner Blair.

>> Hello, this is tanner Blair. I'm a resident and community organizer in north central Austin and over the course of the month leading up to the planning commission hearing for 7113 burnet road, I reached out to residents on and around the burnet road corridor to gather support too this

[3:03:54 PM]

property. We are definitely in support of this project. In all 126 neighbors signed on to the following statement. The site to burnet which is an imagine Austin corridor and transit priority network, rated very walkable and likeable by walk score, going to build 33 units of affordable housing at 60% mfi. They are

providing an opportunity for mixed income families to live in a high opportunity area. Austin has a goal of 110 annual affordable units along the burnet road corridor, 25% of those are supposed to be in high opportunity areas such as crestview. So far the average is 15 a year along burnet and only 9% of those have been in high opportunity areas. This one project would double that. This project is a step toward meeting our housing, transit and climate goals of the city and we look forward to welcoming our new neighbors. I also wanted to share people were able to add comments to this petition. I wanted to share some of those comment because I think they really drive home

[3:04:55 PM]

how much support this project has. One woman said I'm a single mom, grew up in this area and definitely at 60% of the mfi for being a dental assistant. I cannot afford to grow up in the neighborhood that I live in and find it very unfair. My son hopes to go to the same schooling that I went to and I love that. I can't imagine being anywhere else. I would love for this to happen. When I lived in crestview, I used to think about how this site could be used for so much more. I live a bandwidth north of here but wish to move back south again. We desperately need housing. Please approve. I live by burnet, bike by this commercial space very often, this is a perfect location to both boost Austin's affordable housing objectives and revitalize this with more residents to frequent the businesses in this area. Sounds like a win for housing, businesses and maintains the beauty of this area. Another person said I live in crestview close to this lot. This will be a big improvement on the current site use and make my walk on burnet much more pleasant. I have emailed the petition

[3:05:55 PM]

to all of you, I would encourage you to read through it. If you have any questions, I'm happy to answer them. But the -- the overwhelming message is this project is -- is a boon for not only our neighborhood, but for the community at large. And we want to see this project get built. I will cede my time.

>> Susan Moffat.

>> Hi, can you hear me?

>> Yes, go ahead.

>> Hello? Hi, I'm Susan mofft speaking for the McCallum high school advisory council on item no. 153 the grover project. I know everyone has been working under really challenging conditions, but despite being registered to be notified we were not actually notified of the planning commission hearing of this case so the commissioners were unable to our two requests in the backup. First affordable housing the proposed project seeks enough zoning to allow a

[3:06:56 PM]

greater number of units but at this time it does not appear any of these will be affordable. Many aid families and staff struggle to remain in Austin due to rising housing costs. So as a condition of rezoning, we ask that at least 10% of the proposed 300 rental units be affordable at 60% mfi. Two, campus access. McCallum currently relies on street parking on Grover to maintain access for students, faculty, staff and volunteers. Additionally, McCallum is home to the district wide fine arts academy which enrolls roughly 500 students from neighborhood all across the city many of whom must drive to attend this acclaimed program which unfortunately does not offer bus service. Yes we have tried to years to get buses, but aid simply doesn't have the funding. A similar 300 unit project by the same developer just opened this month at the corner of Grover, also directly across the street from Mac alum, while we support the additional

[3:07:56 PM]

housing, we are extremely concerned about the parking impacts of adding yet another 300 units to Grover. Both projects will provide garage parking for tenants, but as you know it's often easier for tenants or their visitors to park on the street, not to mention all of the additional workers' vehicles while the project is under construction. The loss of this on street parking on Grover will significantly impede campus academic for many McCallum students, faculty, staff, volunteers. Therefore we ask the city to commit to installing signage on the stretch of Grover adjacent to McCallum for street parking for school use only and we ask these signs be in place before construction starts. I believe there was a precedent for this at the former Pease and will require a MOU from the city and district which would be separate from the zoning case. So if you would please direct the city manager to have staff begin the MOU process with aid as soon as possible, that would be very helpful.

[3:08:57 PM]

Thank you. As always. And I'm happy to answer any questions.

>> Zenobia Joseph.

>> Thank you, mayor, councilmembers. I'm Zenobia Joseph. My comments are specifically related to items 139 and 140. There's actually a memorandum in the backup materials that says this item is being postponed. Can you just tell me if it is, mayor?

>> Mayor, I can confirm item 139 and 140 are postponed from request from staff.

>> Mayor Adler: Thank you.

>> So I won't speak to the merits if it's being

[3:09:58 PM]

postponed. I will just read out the subject, urban renewal plan for the east 11th and 12th streets urban renewal area modification number 12. And it's the -- the memo says being postponed until sent 2nd, 2021. So I just wanted to say that I support the postponement. And I just wanted to ask the city manager as it related to the black embassy, this is the central east Austin area that you directed them to look at, I would ask you between the time this item comes back to council, to actually have some type of meeting with African-Americans. I want to tell you that I learned that [indiscernible] is actually moving to east 11th and it says on their website black cultural district. I just want you to know that I actually learned about ballet afrique from a homeless male belly dancer named Jacob who rides the 292 and 383 bus routes. Keep in mind that not every homeless person wants to pick up trash.

[3:10:59 PM]

They have skill sets. So I would just ask you to ask the African-American ones in particular what their skill sets are and what they would like because you have the funding. Think of art from the streets as well. And then the other thing that I would just ask you to recognize on the 11th street area, you have the African-American cultural and heritage facility and the Dedrick Hamilton house. You have heard a lot about the African-American history, I would call to your between the 2021 pbs juneteenth documentary which referred to the urban renewal plan as urban removal plan. Councilmember mayor pro tem is in that video. She said that's what her mother called it as well. I would ask you to take those things into consideration. I just wanted to call to your attention before I close that I did send item 118, which is different, but indirectly related because of the federal fudged

[3:11:59 PM]

funding to councilmember tovo and the sponsors. I just would ask you to take those things into consideration and to recognize that we have been apologized to ad nauseam and you apologized for the 90th anniversary 1928 plan back when councilmember Houston was there, you apologized in this resolution for March 4th actually ask the city manager to include funding recommendations. I would ask you to recognize 11th and 12th street for that. As it relates to 12th street the only thing that I will say is the unlimited floor to area ratio is disturbing because I don't see that in west Austin or central Austin in neighborhoods. So I would just ask you to recognize that. And if you have any questions, I will gladly answer them.

>> Stefan wicks.

>> Hello, my name is Stefan wicks, speaking on agenda



[3:12:59 PM]

item 141, the 12th and Springdale development. I'll start with a fools errand which is speaking to the city council -- appealing to the city council on moral grounds. I know dollar -- grounds, I know dollar signs are important. There's shameful history towards people of color, in this part of Austin in particular, I see the approval of maximum density zoning here the continuation of that [indiscernible]. In addition, the city has refused to recognize the signature [indiscernible] On behalf of [indiscernible] Cemetery [poor audio] Trying to use her as a contact for any other official city business. When it comes to the valid petition they rejected her signature. Bethany cemetery is a lot that is a community lot. It represents this community, it represents the -- the history of this

[3:14:02 PM]

community, cultural history. And to -- to attempt to silence the voice of the community in that way, once again, shameful. Now I'll go ahead and talk about some practical things and since I'm sure that's what you really care about. Flooding. To increase the zoning and increase the impervious cover. I live on 12th street, I have a city drainage easement running through my back yard that already collects water and trash from the intersection at 12th and Springdale. I do not want it to also become drainage for an entire shopping development and housing tower and that is what it would become if this development goes through. Also parking, I'm not sure what the logic is behind adding a [indiscernible] And decreasing required parking. But there's no street

[3:15:04 PM]

parking in this area, I'm not sure where the 100 plus units plus retail are expected to park their cars. We do have two bus routes here that we know that --

[indiscernible] No audio] --

>> Melinda marsales.

>> Mayor, we lost connection with the vendor.

>> We are back on.

>> Mayor Adler: You are reestablishing it now.

[3:16:05 PM]

Okay.

>> Hello?

>> This is Melinda.

>> Yes, you have three minutes, thank you.

>> Thank you so much. My name is Melinda

[indiscernible] I'm speaking with regard to the rezoning of the property on Springdale road, right beside historic Bethany cemetery. I don't think enough due diligence on the part of the developer has been performed in regard to archaeological surveying of the boundary line between Bethany and the proposed site of development. Archaeological desktop survey and a ground penetrating radar survey that didn't actually penetrate to a depth that African-Americans were buried or anyone is buried

[3:17:06 PM]

is insufficient. It's insufficient. I would ask that council postpone any decision made in regard to approving this rezoning in advance of thorough archaeological investigation and determination of who is, in fact, authorized to sign a petition, a valid petition, on behalf of Bethany cemetery. Thanks so much.

>> Mayor, we lost one of the speakers when we were disconnected. We are trying to reconnect with him. He would have a minute left. He's the last speaker. So I'm not sure if you want to move on to in person. Oh, he's on, hold on one

[3:18:09 PM]

second. Stefan wicks.

>> If you were satisfied with your message press 1 ...

>> Okay, I guess we can proceed to in-person.

>> Mayor Adler: Okay. By the way, you and the office are doing a phenomenal job with this process of getting people in. So thank you all. We have -- colleagues we have five speakers that have signed up for in person. Madeleine akrey here? Come on down. While you are coming down, is Sheryl Thompson here? Sheryl Thompson? No? What about Sarah

[indiscernible]. You will be up next. Go ahead, you have three minutes.

>> Mayor and council members, thank you for your consideration. My name is Madeleine akri, a

[3:19:12 PM]

member of the martin Luther king neighborhood association, I'm speaking on item 141 the Springdale and 12th case. Austin is one of the fastest growing cities in the us, I am sympathetic to the need for more development and density in this city. However, it must be in coordination with the existing communities that are already established here. Our neighborhood association created a petition and it had been signed by our supporting neighbors. In doing so we expressed our opposition to this vertical planning. The city voided our petition only a few days prior to this hearing by claiming the signature we gathered from Bethany cemetery was invalid. Why was the signature dismissed? By having our petition discounted and disregarded, it eliminates any voice that we have. Now this historically disenfranchised neighborhood is becoming popular, the city wants to support growth but at what cost to the existing residents?

[3:20:13 PM]

At least hear our story and consider what the neighbors want by keeping our petition valid. If the proper channels are dismissed it means that we are completely drowned out by the other opinions simply because they have more power. I stand here today that I do not feel this is right and I oppose the vertical zoning plans. Thank you.

>> Mayor, it looked like one of the speakers that you called that wasn't here might be here. I'm not sure.

>> [Indiscernible].

>> Mayor Adler: Come on down. Come on down. After Ms. Thompson, Sarah. Thank you, councilmember.

>> Good morning, or good

[3:21:16 PM]

afternoon, mayor. Um -- my name is Sheryl Thompson. And I am the vice president of the Coronado hills neighborhood association and I'm speaking on behalf of the neighborhood for item no. 146. We are incredibly concerned regarding the safety of the children that's in the area and in terms of that particular location. We ask you all, as a council, to recognize your responsibility to actually safeguard and be the backdrop, backstop for anything that just sounds like it's affordable. We are all for affordable housing units. That particular unit is a good idea. It's just not the right location. The issue is there is very low mobility and connectivity in that area. Children have to walk --

[3:22:18 PM]

residents, whoever, whether they are old people or children -- they have to walk to get to transit, they actually have to navigate a -- a corner that has a gas station that has mangled -- mangled sidewalk there. So please look at the information that has been provided to you. And if you look at slide 11, slide 11 of the overview powerpoint will let you know that the -- that the people have to walk through a four corner -- I mean a corner gas station with drivers coming in and out on both sides. It's only a matter of time before someone is actually hurt. If you look at the mangled sidewalk, mangled barriers of the sidewalk, you can see that that is not a far-fetched conclusion. In addition to that, children would have to walk across the street to get to the southbound lanes. There are no goods and services in that area. There are no goods and services in that area. Where do you go to the store without getting on the bus? You cannot walk.

[3:23:18 PM]

If the children miss the school bus, how do they get to school? The children in that area, the children, the small children go to Andrews elementary at Lyola on the other side of 290. The middle schoolers go to Webb middle school at I-35 and St. Johns. Overall I understand we have to -- we are all for affordable housing. Look at what we're surrounded with within one mile of our radius, you will see we are surrounded -- we support our income based families and units. However this particular one is not the one. The applicant in their Texas department of housing and community affairs application, they referenced the Virginia brown recreation center 21 sometimes. 21 sometimes in 15 pages. They are heavily relying on that as an outdoor facility for these children. There is no way that is reasonable for -- damn it -- for them to -- sorry, for

[3:24:19 PM]

them to make it that way. I'm just saying, please look at it, let's not be all about being like addicts to affordable housing. Anything that says affordable housing, your website says safe and affordable. If it's not safe, what they are doing is they are trying to squeeze my size 16 into a size 10 pants. It doesn't work well.

>> Mayor Adler: Thank you. Come on down, on deck is Lorraine Atherston. No? What about Maya. You will be up next. Go ahead.

>> Hi, I'm Sarah

[indiscernible]. I'm with [indiscernible] Austin engineers and also here to speak on the Anderson creek affordable housing case 146. My colleague was on the phone earlier, we're just here to address any engineering questions that come up. We do fully intend with the proposed development to comply with all city of Austin regulations regarding

[3:25:21 PM]

drainage and critical water quality buffers, floodplain, critical environmental features, all of that. We will adhere the

[indiscernible] 14 standards and reduce flows to redevelopment conditions before they leave the site. So if there's any questions.

>> Mayor Adler: Thank you. Our last speaker, come on down.

>> Thank you for your time, councilmembers, my name is Myra gep, here with benchmark land development. Maybe I should ask, is this my six minutes or three minute window for presenting on this case.

>> Mayor Adler: Are you the applicant? When the case gets called, if you want to speak you will have a chance to speak for five minutes at that point.

>> Then I will reserve time for then, thank you so much for your time.

>> Mayor Adler: Thank you.

[3:26:21 PM]

>> Mayor Adler: All right. Let's do the consent agenda on zoning.

>> I'm Jerry rusthoven with the housing and planning department, here to offer your consent zoning agenda. Item 137, case C 1420210011, consent approval on all three readings. Related cases 138, [reading case]. Offered to approve the planning commission recommendation with the conditions that the restaurant general and restaurant general be permitted uses as opposed to conditional uses. Item no. 139 case C 14-2021-0033, postponement by the staff to September 2nd, 2002. 140 C 1420210037, also staff postponement request to September second. 141 is C 14-20200049, 12th and Springdale, mayor, we

[3:27:21 PM]

have a postponement request on this by the neighborhood to September 2nd. This is the second request and the applicant Ms. Alice glassgow is opposed. Item 142, offer for consent on all three reading. Related case 143, for consent approval. Other related cases, item C 14-20210044 offered for consent approval on all three readings. Item no. 145 case C 14-2021-0017 postponement to August

26th. 146 will be a discussion case. Item no. 147, case -- I don't have the case number, can offer that for consent approval on all three

[3:28:25 PM]

readings. 148, this is -- this case is ready for consent approval on all three readings. Item no. 149, case 0079, offered for consent approval on all three readings. Item no. 150, case npa 2020-002.01, neighborhood request to August 26th. Number 151, a postponement request by the neighborhood to August 26th. Applicant not in disagreement. Item no. 152, postponement request by the neighborhood to August 26th. Number -- item no. 153,. Case offer for consent approval on first reading only. Item no. 154, ready for consent all three readings. Item no. 155, I can offer this 230 consent approval on

[3:29:25 PM]

all three readings. Item no. 156, consent first reading only. Item no. 157, consent approval all three readings. Item no. 158, the case of 2700 south Lamar, councilmember kitchen I requested is requesting a postponement to August 26th, item no. 159, consent approval on all three readings.

>> Kitchen: Mayor. Item no. 158, we have -- we have -- that's consent postponement. It's my understanding.

>> Yes, that's correct.

>> Kitchen: I didn't hear that, okay. Item no. 160, offer this for consent approval all three readings. Item no. 161, I understand that councilmember Fuentes would like to postpone to August 26th.

[3:30:25 PM]

Item 162 --

>> Mayor Adler: Also a consent postponement?

>> Yes.

>> Okay.

>> Mayor, if I may also -- Mr. Rusthoven, did you say 141 was on consent? Because I -- it was my understanding that the neighborhood asked for a postponement on that one?

>> I had that down for a discussion postponement, mayor pro tem.

>> Thank you.

>> That takes us back to I believe number 162. This case is ready for consent approval on first reading only. Item no. 163, this is also ready for consent approval on first reading only. Item no. 164, C 14-2021-009, postponement to August 26th. Item no. 165, C 14-2020-0149, ready for consent all three readings. Item no. 166, ready for

[3:31:29 PM]

consent approval on all three readings. Item no. 167, C 14-2021-0056, ready for consent approval on second and third readings. With the addition of a prohibition that the applicant agreed to, to a maximum of no more than 10 units. 168, C 1420210031, all three readings consent approval. Item no. 169, I can offer for consent approval all three readings and the addendum item is item no. 181, C 1420210059 offered for consent approval on first reading only.

>> Mayor Adler: What was the call on 161?

>> 1:61 P.M. Request by councilmember Fuentes to August 26th.

>> Mayor Adler: What was 60, 160?

>> 160 was consent ready for all three readings.

>> Mayor.

>> Mayor Adler: Then we

[3:32:30 PM]

have someone signed up to speak on 162. Looks like it's staying on the consent agenda. For approval. Does Ms. Gep still want to speak -- is that he already spoke earlier.

>> The very last speaker came up and asked if this was her three minutes or five minutes.

>> That's on item 163, goodnight.

>> Mayor Adler: Yeah, 163. That one is -- on consent agenda for first reading. And I wanted to see if she still wanted to speak? No. Okay. Wanted to clear that up. Okay. Then item no. 147 you didn't read in the case number, C 14-2021-0036.

>> Thank you, mayor, I didn't have my notes.

>> I wanted to get that in the record. Councilmember alter and then

[3:33:33 PM]

councilmember pool.

>> Alter: Thank you, I wanted to clarify for 146 and 147.

>> Councilmember for 146 pulled for discussion. 147 I had consent for all three readings.

>> Alter: Thank you.

>> Pool: Councilmember pool, did you have something? No.

>> Tovo: I have something, councilmember tovo.

>> Mayor Adler: Okay, councilmember tovo.

>> Tovo: Jerry, would you clarify for 152.

>> 152 I had a postponement request by the neighborhood to August 26th.

>> So it's on consent for postponement?

>> That's correct.

>> Mayor Adler: The consent agenda -- zoning cases, 137 through 169, and also 181. And the ones that we have pulled for discussion are 141 and 146. The others remaining on the consent agenda. I'm sorry?

[3:34:35 PM]

141 is first a discussion postponement. And then maybe we will consider the merits of the cases that did not get postponed. 141 and 146 are the two that are pulled. Is there a motion to approve the consent agenda? Councilmember pool makes a motion, is there a second? Councilmember Ellis seconds. Any discussion on the consent agenda? Councilmember kitchen and then councilmember pool?

>> Councilmember pool can go first.

>> Pool:

>> I wanted to make comments about 142, 43, 44, the north burnet road case that's in my district before we vote on the consent zoning cases. I want to take a moment to thank the neighbors and developer who worked together to achieve consensus and agreement on this project. It's not actually a new case, the earlier iteration of this came to us about a year ago and if not for a snag in the land sale, would

[3:35:36 PM]



have passed smoothly. So -- so the good news is this version is even better. And it has more affordable units, its height limited to 75 feet and has more compatibility for the community. I hear the concerns of some of the constituents on the western side of Burnet Road, I want to stress in this instance because of all of the hard work of the parties, we have both the density and the affordability that we need for our transit corridor as well as better buffers for nearby households. I'm pleased that we have more than a few examples of this successful collaborative work on our agenda today, including item 153 the Grover and Roosevelt case that is the former Dart Bowl. My thanks to everybody that worked hard on both of these cases. I want to make one last point about the Grover Roosevelt case, because we had at least some remarks

[3:36:37 PM]

for at least one citizen. I wanted to let you all know while the parking issue that was brought to us is not part of the zoning case, my staff is engaged on the request for signage already. To the request for affordable housing, the developer is working on an agreement with the third party before coming back to us on second and third reading, which will happen next month. So thank you all very much for all of your collaboration with my team.

>> Mayor Adler: Thank you, councilmember Kitchen?

>> Kitchen: Yes, I just wanted to make a quick comment on item no. 167. I appreciate the work of the neighbors and the developer coming to some agreement on that one that's going on consent now with the CO for M.F. 2 and a 10-unit limit. I appreciate that effort. I'm hearing also the concerns that the neighbors continue to have with drainage in that area. There is some work happening with clearing out the storm water areas, storm water pipes near there, but

[3:37:37 PM]

additional work needs to happen and be continuing to work with those neighbors in my office with the staff.

>> Mayor Adler: Thank you. There's been a motion and second on the consent agenda. Councilmember Fuentes?

>> Fuentes: I just wanted to give a brief comment on the Goodnight PUD amendment, which is item 161. Just to share that this is an opportunity for us to bring mixed use development in east Austin that has a diverse mix of housing types, which I'm really excited about. As well as commercial, civic and open spaces. We have comments earlier from a constituent who mentioned that he would like to see more commercial retail space and I certainly welcome that. But I did want to point out that from the original PUD agreement that was done nearly 16 years ago, this amendment will bring an increase of around 36,000 square feet of commercial retail space. So we will see an improvement there. I'm also looking forward to a potential Capital Metro park and ride at this site

[3:38:39 PM]

along with a number of, numerous safety improvements, this, just a reminder this is on consent for first reading.

>> Mayor Adler: Okay. Motion and second on the consent agenda. We're going to take a vote. Those in favor of the consent agenda, please raise your hand. That's everyone including councilmembers to have vote and the mayor pro tem. Those opposed? It passes unanimously. That's the consent agenda on zoning. Let's do the -- the consent agenda on the regular call.

[3:39:39 PM]

All right, the regular consent agenda. This is items 1 through 119, and 170 through 177 and 182. The items that I'm showing as being pulled are 1, 4, 8, 24, 26, 27, 29, 43, 53 -- I'm sorry, 54, and 55, 76, 82, 103, 119, 170, 171, 175, and 177. Is there a motion to approve the consent agenda --

>> Harper-madison: Mayor, you didn't say 141.

[3:40:42 PM]

>> Mayor Adler: 141 -- we're calling the regular agenda. The zoning consent passed.

>> Harper-madison: Thank you, got it.

>> Mayor?

>> Mayor Adler: Yes, councilmember tovo.

>> Tovo: I have a comment now on 24, but I don't need to pull it.

>> Mayor Adler: Let me get a motion first. Is there a motion to approve the consent agenda? Councilmember Ellis makes a motion, is there a second? Councilmember kitchen seconds the amendment. Any comments on the consent agenda before we vote? Councilmember tovo?

>> Tovo: I do have comments, but I'm also going to add 24 back on the consent agenda.

>> Mayor Adler: Okay. All right.

>> Tovo: I have a couple of comments. I will start there, though. Number 24, I had asked some questions about it is an expenditure that the convention center is making to support a live and, you know, we've had so many

[3:41:42 PM]

conversations through the years about the definition center dollars and how to use hotel occupancy dollars and many in our community have suggested there is more flexibility there than we have sometimes exercised. Especially with regard to supporting some of our local music venues that we know, some of our other performance venues, as well as other programs that we know are big draws for the city. At this point all I want to do is call my colleagues' attention to that item and that expenditure. I don't have the exact amount in front of me. Of what we're spending. But it's my understanding that that's actually coming out of the operating budget. Not coming out, as I understand it, not coming out of the designation for music. It is coming out of the general operating fund for the convention center, so that will -- that will, you know, again we've had differing opinions on how flexible some of the spending is. I just want to point out at least the operating fund money appears to be more flexible than we might have understood it to be in the

[3:42:42 PM]

past in some of our conversations, that has -- that is an expenditure that -- that has been made since 2009. A couple of other things that I want to quickly say. On 65 and 66, this is the charitable [indiscernible] Permit system. You may remember back a couple of meetings ago or a couple of weeks ago I provided directions to the manager that the remaining recommendations for the food policy board working group regarding charitable mobile food distribution groups be incorporated into our newly established charitable feeding organization permitting system. I also directed the manager at that time to make sure that provisional waivers were for mobile food distribution events and one time food distribution events that could be occurring before July 2021 so those could go forward before we take the action that we are taking today. I'm very happy to see these on the agenda. This action that we are about to take has the support of key stakeholders like the central Texas food bank, also a really sincere

[3:43:42 PM]

thanks to our Austin public health staff, the office of sustainability and the Austin Travis county food policy board and so many other stakeholders in our community who have worked diligently on this effort. I think this is a very good path forward. Thanks to councilmember alter and councilmember pool for the additional money for the sunshine fun run. A great summer camp for the children in our community, those in foster care as well as those that meet the degree and reduced school meal eligibility guidelines, a long standing camp in our community and they do great work. Thanks again to co-sponsors and others. The sobering center is -- number one, somebody -- 4 is still on consent, is that correct, mayor?

>> Mayor Adler: Which number?

>> 174. I show it's still on consent.

>> Mayor Adler: It is.

>> Tovo: This is an ifc that I brought forward with my co-sponsors to -- to support the work that Travis county commissioners court has already initiated to look at creating a mental

[3:44:43 PM]

health diversion pilot program for individuals who -- who would otherwise be charged with criminal trespass. And they have initiated the work to look at such a pilot and to consider whether the sobering center might serve as an initial location for testing grounds for that kind of pilot. I know that we all received a letter from the downtown Austin alliance expressing -- as in my characterization I'm not reading directly from their letter -- but support for the concept of the diversion programs, some concerns about using the sobering center and I just wants to assure the gaa as well as others that as a member of the board I'm going to look carefully at whether that is the appropriate location. I'm really supportive of moving forward and continuing those around the mental health diversion program. It is important and builds on the important work councilmember kitchen has done through the years in that area. I think that is it.

[3:45:46 PM]

Thank you.

>> Mayor Adler: Sounds good, that version 174 is posted and given to everybody previously.

>> Tovo: Thank you for that and amendments to that one.

>> Mayor Adler: Councilmember Kelly.

>> Reflect's no vote on 179 and -- on the agenda.

>> Mayor Adler: Councilmember alter.

>> Alter: I wanted to comment on a couple of items, as always, we have really important items on our agenda that for want of more time, we don't always highlight. And I want to highlight this afternoon, item 17, which allows us to take a significant step forward in realizing the expansion of the Asian American resource center, the contract we're about to award is to the same company that did previous work at arc. I'm pleased they will not be new to the scene. I'm excited to see the future.

[3:46:48 PM]

Aarc is an invaluable community asset and I know many in the community are looking forward to us taking this action and look forward to what will follow in the next steps. Secondly I wanted to note item 36 the contract amendment with the bureau to grant 2 million in the arts and culture to our city impacted by covid. This is funding out of the recent spending framework for the arp and I'm really excited to see it move quickly. I know so many organizations in our city are deserving and need access to this support. I believe applications are still open until August 2. So please encourage eligible arts organizations to apply. Lastly, I'm excited to see item 56 the parkland acquisition item in councilmember.

>> Casar: Number 4. The parkland fee and bonds and watershed contribution. When we complete this project

[3:47:49 PM]

it will provide a walkable park to 3,000 residents. I want to thank the staff for work on this and other acquisitions of parkland across the city which is part of what contributes to the high quality of life here in Austin. Thank you. Those are comments I want to make. I want to flag as you plan the next steps, I believe I had pulled 103, the city manager responded staff is fine with me postponing that, which is what I wanted to do. So I am not sure how you want to handle postponements on consent as opposed to amendments.

>> Mayor Adler: Any objection to 103 being postponed. Hearing none, it is the police motors issue.

>> I have a question, that is all.

>> Mayor Adler: We will keep it on consent and postpone it.

>> I have a question.

>> Mayor Adler: You can make comments on the consent agenda. You want to make the question before we agree to postponing.

>> Mayor Adler: Then it stays pulled.

>> I will note, I think item

[3:48:51 PM]

482 and 103 and probably 43, but certainly 483 a102 can be done in less than five minutes.

>> Mayor Adler: We'll get there. Can councilmember Fuentes.

>> Fuentes: Our community thrives when all voices are heard in the democratic process. We see a rise in voter suppression laws that take us back to darker times in our democracy. Earlier this month, the members of the Texas legislature broke quorum for the second time in many months preventing further consideration of house bill 3 and adoption of senate bill 1. House bill 3 and senate bill 1 would silence many especially in the communities of color where we need more amplification of voices and not less. It is during times like today this it is important to remember the late congressman John Loos when he said there are times to get in good

[3:49:52 PM]

trouble, necessary trouble and help redeem the soul of America. So today's resolution calls out the Texas voter suppression bills and adds our city's voice to the voting rights fight of our lifetime. My office, along with local progress has engaged with other cities across Texas and received promising news that numerous city councils as well as county commissioner courts are considering bringing forth similar resolutions. These are examples of the good trouble expected for those to whom congressman Lewis passed the torch in lighting the way to fight in the free and fair access to the ballot box. I want to thank my co-sponsors for joining me in the effort. Mayor, mayor pro tem, Casar, alter and especially alter for the consistent leadership on voting right issues. And express my appreciation and gratitude to my predecessor Dahlia Garza for her work on writing rights,

[3:50:54 PM]

especially the let Texas vote date. And thank Franko and the intergovernmental relations team and especially Christian I have era -- fieria in bringing forward this resolution and dedicated to the city's interests.

>> Mayor Adler: Council more Renteria.

>> Renteria: I want to say also passing on consent, item 115, the expansion of the festival food forest, festival beat food forest as a call on the holly shore master plan. This would give us the opportunity to have a mobile kitchen set up on to teach residents, especially our seniors Rea Johnson on how to cook the quality food that we are growing in her garden, and

[3:51:56 PM]

this is a great opportunity to also expand our program to teach our young folks the value of nutritious food, and to ratify the different items -- and identify the different items for our young students that are not aware of healthy eating. This is a great opportunity for the Cesar Chavez neighborhood plan team,

should I say. And I want to say I thank everyone especially my co-sponsors and policy aide Stephanie Perez that worked hard on this item. Thank you.

>> Mayor Adler: Thank you. Councilmember morales.

>> Moralis: Item 92, this is an exciting bundle of contracts with cave and cave gating and created restoration for species living in the cave. This is exciting for me mostly

[3:52:57 PM]

because a large portion of my district has balcones canyon lands and water quality protection land. What is interesting about cave gating as a process is it maintains safety so people don't enter caves unnecessarily or going on an adventure and getting themselves hurt. It does allow the.

>> Casar:s -- ecosystems to maintain water flow and animals to go in and out of the cave. This is something exciting on the agenda. I look forward to the contracts being executed.

>> Mayor Adler: Thank you. There are a lot of things on consent this time that I think are pretty exciting. And consent doesn't get noticed a lot. I think the work of the council here is reflecting the priorities in the city. On homelessness alone we have item 118, 174, item 23 and I expect 54, and 55 to pass that

[3:54:01 PM]

are being pulled to have a longer conversation. I think that is what the community wants us to work on. Austin parks, item 13, 66 and 67, important to actions to improve that system. Keep it expanding. On housing, item 46, 49, 50. And I think item 119 ultimately today. But making sure that people are able to stay in their homes. I also want to note item 176 voting rights, I am proud and appreciate Fuentes bringing that. And 118, Asian resource center. The funding to keep Austin beautiful, a long-standing partner in shared public spaces kept clean. I appreciate item 116, extending the sidewalk cafe and street patio program. I appreciate the work councilmember pool has been doing in this regard.

[3:55:01 PM]

Item 24, helping to present and keep in our community Austin city limits, access to city limits through KLRU and there is a lot of things on the agenda that don't always get noticed. A motion and second on the consent agenda -- mayor pro tem?

>> Maybe you can't see me? I really, really appreciate, first of all, the advocacy of councilmember alter. For the Asian American resource center. A lot of folks don't recognize that is in my district. I very much appreciate that we're making this very necessary investment and would like to just second her kind and

thoughtful sentiment. So yes. Just if I can back that up. And then half of the other things you said if I could offer my secondary sentiment.

[3:56:05 PM]

Including for the Asian American resource center. Thank you very much.

>> Mayor Adler: Ok. Thank you. Moved and seconded. Councilmember Kelly? >>.

>> Kelly: Thank you for bringing 127 to the dais to vote on. I did vote no, I want to send a message out that representative Lawson and hull at the statehouse checked the mics and when everybody is ready to come back, they'll get a warm welcome. Thank you.

>> Mayor Adler: Let's take a vote. Those in favor of the consent agenda, with the notations noted, please raise your hand. Those opposed. I see it unanimous on the dais all voting yes. Now we will take care of some things we think we can take care of quickly here on the nonconsent agenda. See if we can work our way through this quickly get a lot of staff able to leave. Item 120, from Austin audit

[3:57:06 PM]

and finance committee is the environmental commission bylaws. Councilmember alter, you want to make that motion and briefly explain what that is? >>.

>> Alter: I move passage of item 120 to approve amendments to the bylaws for the environmental commission. Essentially this is removing committees that are no longer active on a quarterly basis. The commission would prefer to hold working groups on an as-needed basis. The staff conquers and afc passed this item.

>> Mayor Adler: Ok. Moved, second? Councilmember pool seconds the motion. Any discussion? Those in favor, please raise your hand. Those opposed. Unanimous both those here and not here. I'm sorry. With councilmember Casar off the dais. That gets us to 121 and 122.

[3:58:09 PM]

With respect to them being nonconsent condemnation matters, is there a motion to the effect that the city of Austin using power of eminent domain as set forth and described in the agenda on the agenda for the public uses described therein. Is there a motion? Councilmember alter makes the motion. A second? Councilmember Renteria, sect. Discussion? Take a vote. Those in favor, raise your hand. Those opposed. Unanimous on the dais with councilmember Casar off the dais. I'm going to recess the Austin city council



meeting here at 3:58. I'm going to convene the Austin finance housing corporation, meeting. If we can do that. Staff ready to do that? Ok. Let's ... Ok. So here, on July 29, 2021

[3:59:13 PM]

we're going to convene the Austin finance housing corporation meeting. We had already convened it, we recessed it now coming back to handle the consent agenda. You want to take us through the consent agenda?

>> Absolutely. Mandy de-mayo Austin housing corporation. First is approving the minutes from the June 10 board meeting. Second and third items are related to two items that already passed on the city's consent agenda, item 46 and 47. Those are items 2 and 3. Item 2 is amending ahfc's operating budget. And item 3 is an amendment to the service agreement between ahfc and the city of Austin. And those are two accepted to deploy the emergency rental assistance through the Texas T map program. I offer the items on consent.

[4:00:14 PM]

I'm happy to take any questions.

>> Mayor Adler: Thank you. Councilmember pool makes the motion to adopt the consent agenda. Councilmember Ellis seconds that motion. Any discussion on the consent agenda for the Austin finance housing corporation. Councilmember Ellis?

>> Ellis: I do. What we are approving reels to the Texas mortgage assistance program for those eligible and impacted by covid. It can pay up to six consecutive months of all or part of an eligible household's mortgage payment. So the question I would love to daylight today is when will the funds be available? What will the process be like so eager homeowners know what website to go or what kickoff to go to.

>> Sure. Assuming they pass on the agenda, we will open up the application process on Monday,

[4:01:15 PM]

August 2, 2021, this coming Monday. There will be an online application. It is through [austintexas.gov/atxma](https://austintexas.gov/atxma). That is Austin, Texas mortgage assistance. You can get there through our website, which is [austintexas.gov/housing](https://austintexas.gov/housing) or call our main number. We will be accepting applications on a first come first serve basis for completed applications and will note however that we have very limited funding available through this program currently. We only have \$500,000. We anticipate that we'll be

able to serve between 50 and 65 income-eligible households. Those eligible households are households at or below 80% of the median family income who

[4:02:16 PM]

were financially impacted by covid-19.

>> That's really helpful. Is it first come, first serve or is it a lottery assessment?

>> It will be first come, first serve for eligible households. We already have done a little bit of outreach with some of our existing homeowners that we have worked through, through some home repair programs as well as through our down payment assistance program. So yes. It will be first come, first serve. We are hopeful that there will be additional federal funds available in the future, but that is not guaranteed. Ideally, we will launch this program and perhaps as funds become available through the American rescue plan or future federal funding, we will enhance the program.

>> Thank you. That is very exciting that that assistance is becoming available.

>> Absolutely.

[4:03:17 PM]

Thanks.

>> Mayor Adler: All right. Take a vote on the consent agenda for the Austin finance housing corporation. Those in favor raise your hand. Those opposed. I see everybody voting for it. We have councilmember Kelly off the dais. So that passes. With that, we will adjourn the meeting of the Austin housing finance corporation at 4:03. Thank you for doing that. While we have the folks here item 124. We have the same folks that are with us. So we're going to go ahead and call that. 124 is a resolution -- this is a public hearing. I'm sorry.

>> That's correct.

>> Mayor Adler: I will reconvene the Austin city council meeting on July 29,

[4:04:18 PM]

2021, it is 4:03. Continuing on the agenda item 124. We gave speakers an opportunity to be able to speak. Is there a motion to close the public hearing and pass the resolution with no objection on affordable housing. Is that the correct motion, staff?

>> That's correct.

>> Mayor Adler: Ok. Is there a motion to close the public hearing and to pass the resolution with no objection? Councilmember kitchen makes the motion. Is there a second? Council more pool second. Any discussion. Councilmember kitchen.

>> Kitchen: This is an item that on Brandt road that you all heard some concerns from some of the neighbors. I think their concerns are appropriate, but I think the concerns go more towards the zoning case that will be coming in front of us. There are some safety issues with Brandt road. You saw the video that someone

[4:05:20 PM]

testified about. So I'm working with the neighbors in the -- and the developer as well as city staff to address those issues. Which I expect I'll be bringing up when this zoning case comes to us. At this point in time, I support going forward with authorizing the tax credits. I think that assuming we can work out the issues around safety and the road, this will be a good project. I don't think we should slow down the tax credit process.

>> Mayor Adler: Ok.

>> Mayor, if I may. I think you might have a hard time seeing me with me being behind you. Ha-ha. I'm going to have to shut down my video for just a few minutes. There's a contractor here at my house. But I'm listening. Just so the general public knows.

[4:06:21 PM]

>> Mayor Adler: Mayor pro tem, thank you. Councilmember alter. We're voting on 124. For the record it is clear.

>> Mayor Adler: Yes, 124. A motion to close the public hearing and the no objection resolution. Those in favor, raise your hand. Those opposed? It is unanimous with council -- with the mayor pro tem off the dais -- she's there and votes yes. So it is all of us. Thank you. Item 125. We have held public hearing today on Austin energy rate and fees. There is no action to be taken today. We take action later, I think as part of the budget process. There will be other opportunity for people to talk on the day we take that action. The record should reflect that we gave people a chance to speak at a public hearing today. Same thing on item 126. Austin water growth related projects.

[4:07:21 PM]

This was a hearing only. And again, we gave the public the opportunity to be able to speak here today. We have the public hearing on the water forward items. I understand this is being postponed until August 26. This is item number 127. Any objection to that postponement? Hearing none, it is postponed that way. 128, this is the Austin resource recovery rates, again, no action to be taken today. But the record would reflect that we held a public hearing. Item number 129, I'm now going to call up with items 170 and 171. This is the public hearing on this item. This is the downtown pud. 129 is a resolution, also concerns 170 and 171.

[4:08:21 PM]

Is there a motion to adopt items 129, 170 and 171? Councilmember Casar makes the motion, a second to the motion? Councilmember alter seconds. Any discussion? Vote on these three items. Those in favor, please raise your hand. Those opposed? That's everybody. Mayor pro tem also voting yes. Those three items pass.

>> No, no. Actually. I have an amendment to bring to 171. I'm sorry. Give me one second.

>> Mayor Adler: Do you want me to bring that again in a second?

>> Yes, please.

>> Mayor Adler: Hold on to 129, 170 and 171. Item 130, public hearing on the budget, we held that today. Record should reflect we gave people a chance to speak and many did. Item 178, the urban renewal plan, postponed this item to September 2. Any objection to that postponement?

[4:09:21 PM]

Hearing none, that is postponed. Item 179 is the east sixth street pid we hear that with item number 27. Is there a motion to approve items 129 and 27? I'm sorry?

>> One 79.

>> Mayor Adler: 179 and 27. Councilmember Casar makes a second, councilmember Renteria seconds. Any discussion? Take a vote. Those in favor, raise your hand. Those opposed. I see it being everybody voting in favor. So those two items pass. That gets us to 180. Which we're hearing with item 29. The south single pid. Is there a motion to approve the two items, 180 and 29? Councilmember Casar makes -  
-

>> Mayor.

[4:10:21 PM]

Sorry, I was trying to move approval since it is in my district.

>> Mayor Adler: I'll let you do that. Councilmember tovo moves pass seconded by councilmember Casar. Any discussion? Those in favor raise your hand. Those opposed. Those two items pass unanimously. Everyone on the dais. So I think that takes care of all the items, with the exception of 129, with items 170 and 171.

>> May apologies mayor, I misspoke. It is 175 I have an amendment for.

>> Mayor Adler: 175 is a pulled item on the regular agenda, we'll get back to that. The item in front of us is 129 and item 170 and 171. A motion and a second. Councilmember tovo?

>> Tovo: I was movingly approval, mayor.

>> Mayor Adler: We had a

[4:11:22 PM]

motion and a second. We were all set to take the vote when mayor pro tem stopped us. Let's take the vote now on approving item 129, 170, 171. Those in favor raise your hand, those opposed, it is again, unanimous with everyone on the dais. As promised, the next thing we're going to consider is the saint Johns matter 26. And then go to executive session and come out of executive session and handle the pulled items. Councilmember you want to --

>> I literally will take five minutes to get through three items, a bunch of stuff.

>> Mayor, I was going to -- this is Kathie tovo. I was going to suggest we knock out items from consent.

>> Mayor Adler: I am ok to do that. But literally if it takes more than a minute or two to do

[4:12:24 PM]

those, we will hold them off. Who has something to do as fast as what we went through. Councilmember alter.

>> Item 1, I would like to move passage you have all the minutes, and postpone adoption of June until next meeting.

>> Mayor Adler: Adoption for minutes, postpone June when it is called. Those in favor, raise your hand, those opposed. Unanimous. It passes.

>> Alter: I have two more. Item 4, this is the contract with respect to recycling. It is a mid contract reset. I wanted to provide some direction to staff for those negotiations and move approval of negotiation and execution of item number 4.

>> Mayor Adler: Ok. I think the alter direction number one is published in back up.

[4:13:24 PM]

>> Alter: Yes, it is important enough to state it out loud, that is part of the point.

>> Mayor Adler: Go ahead.

>> Alter: In the negotiation, execution of the contract the city manager is directed to further the city's zero waste goals and minimize the city's carbon footprint as new technologies are available the city manager is directed to explore all avenues to recycle most materials from the city of Austin. Negotiate terms that provide the best value for Austin's ratepayers and three, negotiate terms that allow for stronger proof in transparency that recyclable materials are being recycled rather than placed in landfills.

>> Mayor Adler: Manager, I understand the staff is ok with this direction. Thank you. Is there -- councilmember alter moves passage with that direction in place. A second? Councilmember Casar seconds. Any discussion? Those in favor raise your hand. Opposed. That's everybody.

[4:14:25 PM]

>> Alter: If I can do 82, quickly. I pulled 82 before I thought.

>> Mayor Adler: It passes. Yeah, yeah.

>> Alter: It is quick direction, I appreciate the item. I want to move direction that the city manager is directed to explore opportunities to leverage the Austin civilian corps in the implementation of the cleanup and beautification projects and create space via the contract as appropriate for exploring those possibilities.

>> Mayor Adler: Ok. Councilmember alter moves passage of item 82 with the direction in place. Is there a second. Councilmember Casar seconds. Any discussion? Take a vote. Those in favor of 82 as amended with direction, raise your hand, those opposed. It is museum. Everyone voting to approve.

>> Alter: For 103, I will postpone it, if councilmember

[4:15:27 PM]

kitchen's question is long, I don't know.

>> Kitchen: It is short. There are two parts. What day are we talking about postponing it too?

>> Alter: August 26.

>> Kitchen: Ok. And then is there any concern with -- it seems like that would be fine. I want to double-check with staff, there is no timeline to concern us about postponing it to the 26th?

>> There is no concerns at this point in time.

>> Kitchen: That answers my question.

>> Mayor Adler: Councilmember Kelly.

>> Kelly: I wonder why you want to postpone.

>> Alter: We couldn't get all the information to execute the contract.

>> Kelly: Do you have questions to ask today.

>> Alter: They're not resolved.

>> Kitchen: We're trying to be, you know, have our -- I think it is important that we really have full conversations. Can you give us an idea of the nature of your questions, councilmember alter?

>> Alter: I would have to find

[4:16:28 PM]

those. But we generally, if councilmember asks for time on a contract --

>> Kitchen: I'm not opposing it. I would be happy to talk with you later. I don't have all the details right here that I would be able to share on the dais.

>> It is great, sometimes prior to August 26, if you can daylight the issues so people know.  
Councilmember Renteria.

>> Renteria: Mayor, I think we just voted on item 177?

>> Mayor Adler: No? It is pulled.

>> Should we vote on 103 to postpone.

>> Mayor Adler: Yes, we do, motion to postpone 103 to 8/26 a second? It is seconded. Any discussion, those in favor of the postponement, raise your hand. All right, that is everybody on the dais. 103 is post.

>> -- Postponed.

[4:17:28 PM]

I am not favor of the postponement.

>> Mayor Adler: It councilmember Kelly votes no on postponement.

>> Kitchen: I want to abstain. I think it is important if a councilmember asks for postponement to support it. I agree with that. I think it is also fair to let us know what the question is about. I will just abstain.

>> Mayor Adler: Ok. I don't think there is anything implied by the postponement here, other than just giving the councilmember the opportunity to be able to answer the questions that she might have. The reason I support the postponement. So I understand that the vote on the postponement is nine in favor, one against, one abstention. That takes care of item 103. Councilmember alter.

>> Alter: Item 43, I believe will be quick.

>> Mayor Adler: Ok.

>> Alter: Ok. Item 43 is related to the atp

[4:18:30 PM]

and the transferring how we're going to transfer tax revenue. And I asked a late q&a question, I think it is important that I want to make sure it is added to the record. This was number 4 under my questions for 43. It was distributed a bit earlier today. As often happens with our q&a related an item that involves other organizations, the other organization often answers the q&a. So this answer was drafted by Greg canaly, now the atp cof and I would like to ask the clerk to put the full answer to the question in the minutes. I want to read one section of it. Of what the atp leadership clarified. And what was written was as we look ahead, atp is committed to fund the required city resources to ensure the program advances.

[4:19:31 PM]

Atp views the project connect support team at the city as a key integral partner in the delivery of the project connect program. And then I will be happy to move passage of 43 unless somebody else wants to do it.

>> Mayor Adler: Councilmember alter moves passage of 143.

>> I think kitchen --

>> Mayor Adler: Did you want to make the motion.



>> You can make.

>> Mayor Adler: Councilmember makes passage with an amendment. I'm sorry, passage of item 43 with an amendment included. You want to read it into the record.

>> Kitchen: I want to thank councilmember alter, I think it is important to get things on the record. Since that came back to us in an email and not in q&a, I appreciate that. So thank you. I will read the amendment into the record. Joint powers agreement will encompass the terms of the financial arrangements between the city and atp including but not limited to financial requirements related to the transfer of tax revenue,

[4:20:31 PM]

payment arrangements for staffing and related cost and grant agreements related to antidisplacement funding.

>> Mayor Adler: Ok. That amendment is added to the be it further resolved clauses that starts the city manager and chief financial officer are authorized and directed.

>> Kitchen: Correct.

>> Mayor Adler: Councilmember pool seconds the motion. Any discussion. Those in favor raise your hand of the motion. Those opposed? It is also unanimous on the dais and item 43 passes. And I understand manager, the staff was ok with that change? Ok. I wanted the record to reflect that. Were those all the ones you had us handling quickly?

>> Alter: Yeah, I think 76 might take 10 minutes.

>> Mayor Adler: We will lose witnesses on saint Johns.

[4:21:31 PM]

I want to get there. Councilmember tovo. Living at 4:30. Hold off and go straight to saint Johns. We'll come back.

>> Thank you, mayor. I will take responsibility for this one. We talked in the work session about when people would testify. I think there was miscommunication people thought they could set up on the kiosk. I will ask four different people question to stick with the rules and they can talk. If Ms. Van Brickel will come up first. I would be interested in your thoughts as someone whose family has lived in the neighborhood for so long and your thoughts on the process and what you want to see happen.

>> Awesome. Good afternoon, everybody. Thank you, councilmember Casar for having me here, thank you, everybody else on the dais. I'm a mom, austinite born and raised in 78752. I'm a commissioner representing district four for

[4:22:31 PM]

the African-American resource advisory commission I'm with the Dale medical school and full-time job is directing health and advocacy at the clinic that sits in the Saint John neighborhood. I obviously love Austin. And I find a lot of passion and devoting work in my volunteer time to Austin. In the same breath, I cannot afford to live in Austin. You can imagine the devastation five years ago when it was time to buy a house and my mortgage broker told me I couldn't live in 78752 let alone Austin proper. Four years ago in my capacity at PCC and eventually in all of my different capacities I have been able to work closely with councilmember Casar and the rest of the team and Saint John residents and other folks within the clinic to work on this process for the past four

[4:23:32 PM]

years. I really appreciated the work that the community has put in as well as other staffers and different organizations that have been involved. I really appreciate councilmember's effort to push and center displacement around the proposed changes as well as displacement for people like me that have previously been displaced. Though the proposal that we see does not reflect the work that we have done, I do feel that passing this is what the Saint John neighborhood has needed and wanted for generations. This is a step in the right direction. We know that there is lots of work to be done. Myself and the rest of the community is ready and willing to work with the developer that we hope that you are able to pass on today. I just want to say that I'm very appreciative of the community members that are part of this process. I really hope that we're able to vote this through and continue that communication with the community members that have been heavily

[4:24:33 PM]

involved for the past four years. Thanks for your time.

>> Mayor Adler: Thank you.

>> Casar: Mr. McClennan and Ms. Williams, I don't know if you both want to come up and provide perspective from the neighborhood? .

>> My name is Thelma Williams. I'm known in the Saint John as grandma wisdom. I have a love yard in the Saint John. My focus is on senior citizens telling their story so that the kids will know where they came from and the struggles they had so they can walk on those struggles and be better.

[4:25:34 PM]

My other focus is on the children. I'm concerned about young people, especially young men in saint John not having jobs, maybe so many of our young men around saint John was arrested for marijuana and went to prison simply because they were the wrong color. And they've had a difficult time. I'm concerned about those young men coming out of prison and being able to get training to get a job. A lot of their families are still in Austin, ready to welcome them back. But they need to work. So I'm concerned about this project that we're doing, you know, I want this to pass so it will help enhance saint John and some of the difficult problems that we have had there for that development. I lived in saint John from

[4:26:37 PM]

seven. I'm now 80 years old. I have done a lot of traveling. I'm a plumber. I'm a nurse aide. I was a first abortion counselor in the state of Texas. I have had a lot of different experiences. So the social issues are my great concern, and I think many of the things that we can do with this development will help some of those issues. I thank god for Greg Casar. He's listened. He's been a fantastic councilman. I want to thank him for the black people in saint John and hispanics. We have really enjoyed the hard work he put into this effort. Thank you for hearing me.

>> Thank you.

>> Mayor Adler: Thank you.

>> Kitchen: Mayor? Can I say I really appreciate the work that Ms. Williams has done over the years. It has been a long time since I had a chance to speak with her. But I did know her work in a previous life. And I just want to thank you for being here today.

[4:27:39 PM]

>> Thank you. Invisible in Austin will tell a lot of saint John story too. I think a lot of the council people have it. In invisible in Austin, I'm Ella and I talk about my grandfather quite a lot. Thank you.

>> Casar: Mr. McClellan come on up. And then Ms. Mitchell is the last person that came to answer some questions.

>> Hello. Thanks for hearing me council. My name is hakim McClelland. I'm the new kid on the neighborhood compared to grandma wisdom. I do care a lot about my community. I was here a few years ago, I think the winter of 2017 to start the process of developing this piece of land.

[4:28:39 PM]

At the time it was the most snow I had seen in Austin. Little did I know a few years from now I would see more snow and be back in front of you. And I, at the time, the whole Home Depot was a symbol of blithe and negligent. It was the first thing you saw. It was overgrown, filled with trash cans and I think we have done a lot of work to turn that around. Go door-to-door with neighbors get an idea of what they wanted to see her. I'm excited that this proposal has a possibility of getting something as soon as next year. But I think the main focus for the council should be finding a terms that would involve responsible investment in the community. I think it's very pass that we have development there that we have people who are interested

[4:29:41 PM]

in building housing, building retail, but I think there is still more to be done. And I think there is the first step of getting this process started. But I personally would like to see more in terms of responsible investment. In starting negotiations of that. That's all I have to say. Thanks for hearing me.

>> Casar: Thank you.

>> Good afternoon, council, good afternoon, mayor. My name is Terry Mitchell. I'm an austinite, native. I am an entrepreneur. I'm also the founder of the leaders collect -- black leaders collective. I'm a mother who is very concerned about what her black -- what Austin looks like for her little girl once she's of age to understand

[4:30:42 PM]

what is going on. I lived in a very different east Austin growing up. So this saint Johns redevelopment plan is very -- it reigns dear to me. I do support it. However, I do want to ensure and I rest assured knowing that Casar is leading this effort. But am always looking for the bottom line, for me and mine, which is equity. Which is liberation for black people. We have grown weary. You know, in knowing that the intent may be there. The words may be there. Um ... When it is not on paper, what it looks like on paper is all that matters, right? What the policy looks like. I'm excited to know that there is a right to return and right to stay clause in the

[4:31:43 PM]

antidisplacement piece. I'm excited to know that there are programs -- there will be construction programs for black and brown as well as women businesses. I'm excited to know that there is a person of color who will be leading the initiative on the consulting piece. And that the community has been heavily involved for many years. I do want to keep that energy. And I want to make sure that we key in, zero in all the way on what it looks like, not just to have affordable housing but diversity on this property. So whatever that looks like, I'm for it. I'm also excited that saint Johns, you know, the history will be told and that is a part of the redevelopment process. That's really important. I ask that we consider looking at projects from our past so that we learn from what's been done.

[4:32:44 PM]

Learn from what may not have worked so well with projects such as the Mueller project and other things of that kind. The black leaders collective is zeroing in relatively heavy on housing on antidisplacement, on preservation. We ask that you don't just take our property and make it something that is for others that don't look like us. We ask that you stop gentrification. And although we are excited to back Casar, we know that it will take everyone there to push it forward and to commit to that type -- that level of intentionality. Thank you so much for your commitment to our community. Have a wonderful day.

>> Casar: Thank you. Mayor, with that, I would move passage of this with my direction. I could add councilmember tovo's direction or if she wants to move it herself, I am fine with doing it either way.

>> Mayor Adler: Councilmember

[4:33:47 PM]

Casar moves passage of the item 26 with the direction that he has published and is in back up. Is there a second to that motion? Mayor pro tem seconds that motion. Is there a discussion? Councilmember tovo, do you want to be recognized now?

>> Tovo: I do. Thank you, mayor. I would like to move passage of the direction I brought forward and the last version is version 3. It should be in your inboxes at 11:44. Apologies for the multiple versions, councilmember Casar and I have been exchanging conversation around that. So ...

>> Mayor Adler: Councilmember tovo moves to amend the motion to add the direction contained in her version 3. Is there a second to that amendment. Councilmember Casar moves.

>> Casar: I want to ask a couple of questions.

[4:34:47 PM]

We talked about them, it might be helpful to say them out loud. I support and negotiate for high quality child care. In your language, councilmember tovo, you talk about discussion with community stakeholders about how it aligns with their vision. I would assume that community stakeholders will appreciate and want child care there. But your intention with this is that, my understanding, is that if the community and the city council believe there should be child care, that we should have it. But if for whatever reason the community and the city council say, you know what we want these three other uses because we figured out child care in a different way, that that is still our option, but that the baseline would be the child care is what the staff will be negotiating for there.

>> Tovo: Yes, councilmember. You had raised that issue when we talked. That is one reason why the language regarding child care

[4:35:47 PM]

has been adjusted from the one I posted on the message board. It now says it should be a required use and discussed with community members -- community and stakeholders how this use aligns for their priorities for services and amenities, et cetera. That is absolutely the intention. We should proceed when we talk about our city-owned land we should proceed if there is residential development on a track that we will have a high-quality child care if it is an area that needs it. We certainly heard testimony from some community members today that they consider this an area with child care desert. That is a discussion within the community stakeholders in the way you suggested, it would be in conversation alongside other identified priorities.

>> Casar: Thank you for that. Thank you for adding that. Also, you have align that says the council -- a line that council may add to this direction by August 26. Of course, the council can add to the direction at any

[4:36:51 PM]

council meeting but adding this language essentially because we're trying to move quickly with this. My understanding what you mean is of course, if things come up, we can post an item or ask an item to post an item in August, but you do intend for the staff to go and start negotiating this deal immediately, but you're just putting notice out there that potentially in August, if something comes up we can give further direction.

>> Tovo: That's right. And for the public's knowledge, again, I mentioned earlier, we have a huge agenda this week. And I know we're all struggling to read every part of it as carefully as possible. So in conversation with you, it was you raised as a priority to be able to move forward. So I think that's important, especially for the community members that have worked for this and worked on this

program and developed it and helped shape it for so long. So I'm very comfortable moving forward today, as long as we have an opportunity to add to

[4:37:51 PM]

that direction. I know in looking -- we have an opportunity as councilmembers to sign and nda to see the proposal recommended and other proposals. There is a great amount of information that is not being made public that we're not able to discuss. And just, you know, I noticed in my sharepoint, in my access to it that some of our colleagues have not yet been able to sign the nda if they choose to do so and access that information. So this gives us all time. I'm looking forward to looking at some of the proposals that are not being recommended today. Just to better understand, you know, the values that they've identified. So we have a full picture and can really move forward as carefully as possible. At this point, I don't have any additional direction to suggest, nor may I have any in the future.. I want to give all my colleagues an opportunity to do so since we are moving

[4:38:54 PM]

pretty quickly in terms of when we receive the information, the detailed information and when we take action on it.

>> Casar: Thank you, councilmember. Those are my questions.

>> Mayor Adler: Great.

>> Mayor, if I may?

>> Mayor Adler: I'm trying to figure out where we were with respect to councilmember tovo. I think we agreed to put them on without objection. They were added. You clarified some points. Just to make sure. Any objection to councilmember tovo's direction being included? Hearing none, that direction is now part of the base motion. Yes councilmember Kelly.

>> Kelly: At the --

>> Tovo: I don't mind hearing questions first from my colleagues.

>> Kelly: I don't have a question. I'm not sure everybody knows what an nda is. If we can say what that is.

>> Casar: An nda is a nondisclosure agreement.

>> Mayor Adler: Ok. Councilmember Kelly.

>> Kelly: Thank you to staff for working overnight to worry

[4:39:54 PM]

my questions regarding the item on the agenda. I got most answered and that saved us quite a bit of time today. Can councilmember tovo talk me through the commercial uses language in the motion? Specifically trying to get more clarity on the part where it says any amenities be accessible to the residents of the affordable homes and solicit input about what services are particularly desirable in this location? I would like to know more about what your vision is for that?

>> Tovo: Sure. This really gets to the community stakeholder process that I know councilmember Casar has really led on and been instrumental in. I neglected when I started my conversation to really thank him for his leadership on this. I think it will be a very exciting project. It was great to hear from so many members of the community today. This is, you know, we talked about it with multiple other city-owned tracts as they

[4:40:56 PM]

began to be redeveloped. I hope we can be successful on the saint John tract, having commercial businesses on the redevelopment that serve the needs of the individuals that live there. You know, my hope is that our community process will identify some neighborhood services and other kinds of businesses that are particularly filling gaps in that area. Or that are serving the basic needs of those who live there. And are not just really niche, high-end, luxury goods stores. Unless that is what the community suggest they want. But really neighborhood-level services. You know, I don't know -- I don't know. We won't know until that community process happens, but maybe that is a hardware store. Maybe that is some other kind of local service. But that is my intent there. That it be aimed to serve the

[4:42:00 PM]

population of individuals who are not just living in the new development but also in the surrounding area.

>> Kelly: Thank you for that clarity. I also wanted to say it was clear to me throughout this process and reading back the history that a lot of thoughtfulness was put into this project. I want to commend you councilmember Casar for that and leading the charge on this. Thank you for sharing it with us today. And thank you, councilmember tovo as well.

>> Casar: Thank you, councilmember, I appreciate that quite a bit.

>> Mayor Adler: Ok. We continue to be on item number 26. Any other discussion?

>> Casar: Mayor, I'm sorry.



>> Mayor Adler: Councilmember tovo, did you want to comment on your direction?

>> Tovo: I did. I want to thank you councilmember Casar and other community members that for years advocated for a great development on this tract. I'm excited to see it move forward. A couple of motions to highlight. I think it is critical. I appreciate those who came forward and submitted proposals for this tract.

[4:43:00 PM]

I'm excited about gray star and hacka and the vote that we're about to take. I think it is absolutely critical and cannot underscore enough how important it is for the approval by council for the units to shift to more multibedroom units so the preponderance of units are not one-bedroom and studio units. Please continue to work toward achieving that aim. We ask this all the time of our private developers, include more affordable housing more multibedroom. They really have the kind of housing we know we need in our neighborhoods to retain not just single folks, but also people with caregivers, people with children. So please, work hard to really shift that balance. The only other thing I wanted to mention is earlier, we had some comments about wages.

[4:44:01 PM]

And I just want to mention that I believe we are -- it was someone from worker's defense testified that the isci had the council pass I think that's about it. I'm excited to see the project move forward, so thanks again all who helped shape it, including our staff.

>> Mayor Adler: Great. It's been moved and seconded. Council member Casar.

>> Casar: One quick point that I think is important, because, council member tovo, I wanted to see whether this was resolved or not. I don't know if you have seen the latest update I made to the motion sheet, the two things. One, it codifies the ask for the community board as was offered today during testimony and, two, it makes very clear that our strongest preference is for a city lease and not for a sale but then it does make it clear that ultimately the most important thing is for this to

[4:45:03 PM]

no longer be an abandoned home Depot but for us to get all the community benefits that we want. So if it's feasible for us to have a conversation about that and further direction or if the community benefits would fall apart, we would like to hear about that. Ultimately public ownership of the land is very strongly preferred. We understand that haca is also a public agency but that city ownership is the main

option but it does not say that we are not going to do this deal if that it's impossible, if that makes sense.

>> Tovo: Yeah, you and I have I think just a difference of opinion on this. My language is a little stronger and I think that if we need to we might have to go into a executive session to discuss this but I think that if we continue to have these proposals come to council having two different alternative paths, one being lease, one being sale, it's going to be very challenging for our staff to negotiate for the best development possible

[4:46:03 PM]

for our community and for that city asset. You know, I strongly believe we should be leasing our land and not selling it. I think in terms of maintaining affordability on those tracts, we've got to have long-term ownership. So I -- while I take your point that there may be some other ownership opportunities here that provide a certain level of protection given that haca is a public entity, you know, just know that if it comes back and staff say it can't be a lease, I think we should all be -- I think we should all rethink the proposal. I think it's absolutely critical that we continue to own this. You know, I mentioned a few times that we need to have -- we need to insert the council into the process of these real estate redevelopments of city-owned tracts and I will be moving forward in August on

[4:47:03 PM]

bringing an ifc that really establishes that because in looking back and talking with staff about why the rfp even allowed for the sales option, they talked about the ifc having done so. You know, in looking at the ifc and looking at some other ifcs about the St. Johns tract, I don't see any other council directive to sell it. I'm not sure why that entered into the conversation. I know we need to move fast here today. I won't belabor the point but until there's a preponderance of evidence, I'm not going to support it and I would urge you not to either.

>> Mayor Adler: Council member pool.

>> Pool: Thanks. Just a quick word of support for what council member tovo is talking about, generally speaking from a principal policy position I would like to

[4:48:04 PM]

think we hold on to the land that the city of Austin owns because we benefit officially from it further into the future. I'm glad we're not making that final decision today and I understand that when the discussions were had with the various applicants they were told that it could possibly be a lease, it could

possibly be a sale so there wasn't any certainty offered by the staff so I would like to keep that question open and look a little bit more carefully at retaining the city's ownership. So, thanks very much.

>> Mayor Adler: Okay. Council member Casar. Council member alter.

>> Alter: Thank you. I want to, you know, second some of the comments earlier. This is a really exciting step forward to an area that I would have hoped we would have been able to move forward with much sooner and I appreciate council member Casar's dogged leadership in kind of moving this forward. I do want to chime in though on the lease versus sale and just

[4:49:05 PM]

say I too, when we look through the various ifcs, some of which we were involved with, some of which I think predated my being on council. We didn't see anything that said that we would have contemplated a sale of the property. So, you know, I would -- I don't favor sale. I favor a lease and I'm going to really need to see the language that justifies a sale as part of that rfp, which maybe we cannot deal with today but I really do agree with council member tovo on that. And I heard that council member Casar, that's his preference too so I don't think we're actually very far apart on that.

>> Mayor Adler: Council member Ellis.

>> Ellis: Thank you, mayor. I just also wanted to express my sentiments. I really appreciate all the work and all of the focus on community benefits that could

[4:50:05 PM]

be achieved by this project. I think obviously a lot of us would prefer not to sell the land but I would just hate to give up on the housing and the community benefits and the green space that could be realized through this. So I certainly look forward to seeing how the negotiation continues and evaluating that information at a future point in time. Seems like lease is the preference but at this point I'm not a hard no, depending on what those future negotiations look like, if the discussion ends up leaning more towards sale.

>> Mayor Adler: Okay. Council member kitchen.

>> Kitchen: I think it's helpful for all of us to kind of explain where we're coming from. I support what others have said, particularly council member tovo. I would not be interested in sale. It would be difficult for me to support a sale, just given the environment we're in and the importance of preserving the assets that we have for

[4:51:05 PM]

affordability into the future. We really have the best opportunity for doing that. So that's what my perspective is. And then I would also thank council member Casar. I mean, this is really tough, these kinds of projects bringing them forward, so appreciate that.

>> Mayor Adler: I think, one, congratulations, council member Casar. A lot of work on this. You were talking about this since before you were originally elected. Some things take a long time to bring about but this is going to be just a great piece of work for the city, so congratulations on that. And it's my understanding that if you extend a lease period out for a long-term nature that in the market and economics, it's treated the same, virtually. So my hope is that gets determined here. I think a lot of us on the dais repeatedly have talked about how the city really needs to get into a place where we don't sell property but keep it so

[4:52:07 PM]

that it's always potential to be in the public use and the public domain. Council member Casar, do you want to close us out?

>> Casar: Sure thing. I'll just read the language, because I think this is the sentiment expressed here on the dais but in my motion it says that in the final agreement the manager should negotiate for a long-term lease rather than a sale and that if the manager cannot achieve a long-term lease in the mda or such an arrangement results in a significant reduction of community benefits the manager should report this back to the council and seek further direction. And so I think that that lays out essentially what folks have said here. This is a very challenging project in that it is over \$10 million in the hole from the beginning, has a building that is unusable that we purchased at a price when it was usable and so then we went through an rfp during a pandemic. It is a challenging project and so that is why I think it's important to express our strong

[4:53:09 PM]

preference but then learn more as we better understand but I think this gives the direction to greystar and the housing authority that permanent affordability and permanent community, accountability is very important to us in this project. Just to wrap up, because I know we have a long meeting, I would really like to say thanks to my staff who has been working so diligently on this. So many people have thanked me but it's really my office's work. Thank you. The staff have also been working so hard. Kristi McGuire, Christine, Susanna, Sean, mark Gilbert, who left us but did write the rfp and so many others on the city side. I just -- manager, thank you for choosing such excellent staff for this important project. And, of course, the neighbors and the ministers and the parents and the school teachers who have taught us so much and pushed us to get to this

[4:54:10 PM]

point. There's work to be done to make us really proud of this because I believe there's still improvements to be made but this is, I think, a really, really important step. I also want to mention one thing sort of as housing chair that has lasted you with this specific project but something to learn about, something to learn from from all of our housing work, the deal before us is a significant win for affordable housing and I think it's important to imagine the possibilities here as we work on other pieces of land. Some of our most successful nonprofits in town who do incredible work, they often require significant subsidy, government support in order to achieve affordability and that's a good thing. We all really work to bring subsidies to the table lots of days of our lives up here on the dais. But I did ask the staff to pull the facts about two of our most recent affordable housing projects from developers that we love. Those last two big family unit affordable housing projects,

[4:55:10 PM]

we're getting about 150 low-income housing units per project. It takes about \$20 million worth of subsidy per project. That's a mix of our dollars and low-income housing tax credits. So that's 150 homes, \$20 million in subsidy. In this case we're getting 280 low-income homes. So nearly twice as many homes for zero in city subsidy. Plus we're getting, you know, millions in park development. We know that to develop nearly four acres of open space costs a lot of money. The splash pad in and of itself is usually a \$1 million to \$2 million investment. That's remarkable that we are getting nearly twice as many homes because we control this city land that are low-income at zero subsidy to the city. Again, subsidy is not a bad thing. We have dedicated a lot of our career and time to bringing more subsidy to the table and I hope that we can bring some dollars to the table to improve this project, get us more affordable units and deeper

[4:56:11 PM]

affordability. But basically on this project we are starting with zero subsidy and already 280 low-income homes so we can only go up and get better from there on top of the community services and nonprofit space and open space and child care and all of the rest. Because of the community's vision, because of what the housing authority, as sort of a federal public agency -- federally recognized public agency brings to the table and what the city has done, this is an example of how we can get a lot of affordable housing in a community, give people the ability to stay, give people the ability to come back and invest in a community. So often we're choosing between investing in a community and gentrification. Here we can keep people in place and improve something that we have too long neglected, so I very much appreciate everyone's time and support on this.

>> Mayor Adler: All right. Let's take a vote. Those in favor of item no. 26, please raise your hand. Those opposed. It's unanimous on the dais.

[4:57:11 PM]

Congratulations, that passes. Colleagues, it is almost 5:00 now. Maybe we can take care of a couple more of these items now that we're kind of in this difficult place. It looks to me like we're going to be here through dinner, coming back out on the other side. Obviously not going to get to zoning cases until after dinner. Maybe we can coincide the executive session overlap and decide how much additional time we want to take a break beyond that. Council member alter.

>> Alter: I was just wondering if we might want to do our roll call vote on no. 8 and --

>> Mayor Adler: We're not quite ready. We don't have the numbers from staff. I hadn't heard we had the numbers yet.

>> Alter: That's fine.

>> Mayor Adler: I'm sorry.

[4:58:12 PM]

Do you have the numbers now?

>> Thank you, mayor, council members. Yes, we do have the numbers and I have just two seconds ago sent them to you. I don't know if you got them. The first number --

>> Mayor Adler: If we were to go at 8 cents, that range --

>> Yes, that is 55.42 cents per \$100 valuation.

>> Mayor Adler: Okay. And if we were to go at 3.5?

>> If you ultimately decide a rate that's at 3.5% above the maintenance and operations rate, that would be 53.59 cents for \$100 valuation. And I apologize. I should have introduced myself. Leila fireside for the city law department.

>> Mayor Adler: Thank you.

[4:59:13 PM]

Colleagues, I think the issue here is we are supposed to set a maximum proposed tax rate. I'm going to read the script here in just a second. But this is not deciding what the tax rate is. It's setting what is the maximum number that we could ultimately use when we do set the rate sometime in August. We'll now take up item no. 8 related to the maximum proposed property tax rate for the council to consider and the date that the council will adopt the tax rate. We have a resolution to adopt, a maximum proposed property tax rate that the council will consider for fiscal year 2021-2022 and set the date that council will adopt the fiscal year of 2021-2022 property tax rate. Under state law a vote on the motion to adopt a maximum proposed tax rate that the council will consider requires

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a roll call vote. The maximum that the city can adopt and not exceed the voter approval rate during a year in which the governor declared a disaster that caused physical damage, which this year's winter storm was set by state law is the 53-point -- do you have the number? It's 55.42 cents per 100. We can choose not to set it at that rate. We can set it at a lower amount from that in August, if we wanted to. The question is what do we set as the maximum now? Before I ask for a motion to adopt, I want to know what the sentiment of the council is on

[5:01:19 PM]

this issue. Council member Casar.

>> Casar: Mayor, I don't anticipate we'll be setting the max rate but I think it is better for us, since this is a pro Forma thing, to continue the culture of keeping this a depoliticized -- it's not news. It's just us setting what is the max rate because otherwise council's year after from now will feel like they have to debate something that actually doesn't change something in people's lives.

>> Mayor Adler: Okay. Council member Kitchen.

>> Kitchen: I just think it would be good to explain a little bit more, just for the public. Because we have taken a vote once already about setting the maximum rate so I think it would be helpful to explain why we're doing it again.

>> Mayor Adler: Okay. So earlier we took action that set the maximum rate at the maximum we could do without an election. So that we would maintain that flexibility. That's certainly been the culture and practice of the

[5:02:22 PM]

council since here in recent times. That does not mean that we will ultimately adopt that rate. In fact, the manager's proposed budget does not use that rate but it preserves the opportunity and the flexibility. So that would be the 55.42 cents per 100.

>> Kitchen: What I meant was why are we doing that again? We voted once already to set a maximum rate. Oh --

>> Council member kitchen, Leila fireside. When you took that initial direction was to direct the chief financial officer, the designated employee, to calculate the numbers that you have today. And so you took that action and now what they've done is come back and giving you those actual numbers. And when you vote today, what this allows us to do is begin noticing the hearings properly

[5:03:23 PM]

with the correct information in them.

>> Kitchen: Thank you very much. I think that's -- I thought it might be confusing for the public, otherwise. So, thank you.

>> It's confusing to all of us.

>> Mayor Adler: Try to abide by the rules the state has prescribed for us. Council member alter.

>> Alter: So I completely understand that these are the rules, et cetera. I'm going to be, if the body motions to go with the 55.42 cents, as I did in June, I will be voting against that. Uncomfortable going up to that level, so I just want to explain that I'm being consistent with my vote earlier.

>> Mayor Adler: Okay. I would support the motion going to the 55.42. It does not say what it is we're going to do. I like keeping with the practice that we've had for a long time. I think it serves to depoliticize that question and

[5:04:24 PM]

I seriously doubt -- in fact, I think it's incredibly unlikely that we would actually adopt a budget at that rate but I think this is more procedural than anything else. Council member Casar, I'll recognize you for a motion. Let me back up. Under state law a vote on the motion requires a maximum proposed tax rate that the council will consider requires a roll call vote. We have identified that as being the 55.42 is the maximum amount. Is there a motion to adopt the resolution setting the proposed maximum property tax rate the council will consider for fiscal year 2021-2022 at 55.42 cents per \$100 valuation.

>> Mayor Adler, you probably can't see me but I was raising my hand. I have a question. So should I wait for the motion and a second and then ask Ms. Fireside?



>> Mayor Adler: Let's go ahead and do that. Is there a motion? Council member Casar makes that motion? Is there a second? Council member Renteria seconds

[5:05:27 PM]

it. Mayor pro tem.

>> Harper-madison: Thank you. I appreciate being recognized. Ms. Fireside, I would just like to know, you know, given your professional experience, is this the direction that you would suggest we go?

>> Historically, we have recommended that you do the maximum rate as the proposed maximum rate because it gives you the flexibility to go down. And if you need something above the 3.5% you have that flexibility to consider. So we have historically recommended to give you the maximum amount of options that you consider that rate when you do this maximum proposed rate.

>> Mayor Adler: Okay. It's been moved and seconded. Are we ready to take a vote? We have a motion and a second to adopt the maximum property tax rate of 55.42 cents per

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100, valuation for council to consider adopting the fiscal year 2021-2022 budget and tax rate approval meeting in August. Would the city clerk please call the roll as required by state law so that each council member's vote is recorded.

>> Mayor Adler.

>> Mayor Adler: Yes.

>> Mayor pro tem harper-madison.

>> Harper-madison: Yes.

>> Council member alter.

>> Alter: No.

>> Council member Casar.

>> Casar: Aye.

>> Council member Ellis.

>> Ellis: Yes.

>> Council member Fuentes.

>> Fuentes: Yes.

>> Council member Kelly.

>> Kelly: No.

>> Council member kitchen.

>> Kitchen: Yes.

>> Council member pool.

>> Pool: Yes.

>> Council member Renteria.

>> Renteria: Yes.

>> Council member tovo.

>> Tovo: Yes.

>> Mayor Adler: All right. On a vote of -- the motion to

[5:07:33 PM]

adopt the maximum property tax rate of 55.42 cents per 100 valuation for council to consider when adopting the fiscal year 2021-2022 passes on a vote of 9-2. All right. For this resolution we also need to include the date that the council will adopt the fiscal year 2021-2022 property tax rate. The proposed time, date, and location is August 11, 2021 here in city hall, 301 west second street, Austin, Texas at 10:00 A.M. With a voting to continue to August 12 and 13 if necessary. Due to the pandemic, people are going to be allowed to participate remotely or in person. Is there a motion to set the time, date, and location as proposed to adopt the fiscal year 2021-2022 property tax rate? Council member pool moves approval of the motion as proposed. Is there a second?

[5:08:33 PM]

Council member Ellis seconds that motion. Let's go ahead and take the vote. Does not have to be roll call. Those in favor, please raise your hand. Those opposed? This is the motion to adopt the budget.

>> Isn't it all part of the same resolution?

>> Mayor Adler: This is to set the time and date and location to adopt the fiscal year 2021-2022 proposed tax rate.

>> I'm just confused because the back up has it as one resolution. Two separate votes on the first part of the resolution. I'm fine with the date and location. I thought I was voting both of them together.

>> Mayor Adler: Let's check with the attorney.

>> The date doesn't need to be a roll call vote. It is included in the resolution. If you want to be consistent and vote no because you voted no on the first part of the resolution, that's fine.

[5:09:34 PM]

>> Mayor Adler: The question is all that we're doing now is taking a vote to set the time and date for when we will actually take action to set the rate.

>> Yes, but it is mentioned in the resolution and so to council member alter's point, if she has already voted no on part of the resolution, to be consistent she wants to have her vote be no.

>> Mayor Adler: What I was doing was calling those separately. We had a motion that was made from the dais, the first motion was to adopt the maximum proposed tax rate.

>> Yes.

>> Mayor Adler: We did it here orally on the dais and then we took a roll call vote and it passed. Can I now entertain a motion -- I mean, as I have -- to set the time and date to be as we proposed, August 11, 2021 and continuing until the 12th and 13th here at city hall.

>> Yes, you can.

[5:10:34 PM]

>> Mayor Adler: Okay. So that's all that's in front of us right now on this second vote.

>> That is a second part of the resolution that is item 8 .

>> Mayor Adler: I have severed the two so that they're two separate votes and two separate resolutions. Can I do that?

>> I don't think you can just create another resolution when it's one item that's been posted in one particular way. I don't know that it matters if the vote --

>> Mayor Adler: I was trying to give people the opportunity to be able to set the hearing and not create an ambiguity as to what they were voting on or not voting on.

>> I appreciate that but I didn't do it as two items so I don't know that we can split it.

>> Mayor Adler: All right.

>> Alter: I'm fine voting no on the location, to be consistent. It's not a problem for me.

>> Mayor Adler: If you think about it in the future, let's split those two things so the people are not tied to one vote or the other since the law treats them separately.

>> Sure.

[5:11:35 PM]

>> Mayor?

>> Mayor Adler: All right. Because we've already taken a vote on the first part so now we're taking a vote on the second part but without a roll call vote. So if this is actually the vote on the first part, then we probably need to take a roll call vote on it as well, no? We're about to pass a resolution without a roll call vote.

>> Well, under the state law, the maximum -- the tax rate is what needs to be voted on for a roll call vote. The hearing date doesn't necessarily need a roll call vote.

>> Mayor Adler: Okay. I hear that.

>> Mayor, I'm happy to abstain on the date, if that's easier. I'm just confused, that's all.

>> Mayor Adler: I'm going to ask for a roll call vote on this and then I'm going to put both of the things in the resolution. The resolution first has the 55.42 cents per \$100 valuation. The second part of the resolution has the date set, as

[5:12:37 PM]

we talked about, August 11 continuing to the 12 and 13. Let's now take a roll call vote on the resolution that has both of these elements.

>> Mayor, I just want to confirm that saying it that way satisfies our requirement for the state. I don't have any idea.

>> Mayor Adler: Are you okay with us doing it this way for the state law purposes?

>> Yes, sir.

>> Mayor Adler: Please call the roll.

>> Mayor Adler.

>> Mayor Adler: Yes.

>> Mayor pro tem harper-madison.

>> Harper-madison: Yes.

>> Council member alter.

>> Alter: No.

>> Council member Casar.

>> Casar: Yes.

>> Council member Ellis.

>> Ellis: Yes.

>> Council member Fuentes.

>> Fuentes: Yes.

>> Council member Kelly.

>> Kelly: No.

>> Council member kitchen.

>> Kitchen: Yes.

>> Council member pool.

>> Pool: Yes.

>> Council member Renteria.

>> Renteria: Yes.

>> Council member tovo.

>> Tovo: Yes.

>> Mayor Adler: Okay. It passes on a vote of 9-2. All right. Let's move on.

[5:13:38 PM]

We have a conversation about homelessness that we'll hold off on right now so that we can deal with some of the business items in front of us. That's 54 and 55. We'll get back to those. Item no. 76, council member alter .

>> Alter: Thank you. Is someone from human resources here that can be brought over?

>> Mayor Adler: Thank you for your patience and availability.

>> Good evening, mayor and council members, I'm Diana Thomas, chief financial officer with the financial services department.

>> Alter: Can you explain what item 76 is for?

>> Yes, it is the contract to renew our agreement for our payroll application banner and it will allow us to continue to operate the city's payroll

[5:14:40 PM]

system going into the future.

>> Alter: So the reason that I pulled this and wanted to ask questions -- first of all I had a bit of delay in getting some questions, a totally reasonable problem with e-mail. But I'm really concerned -- I have been here, this is my fifth year and we still don't have electronic timesheets. We have had budget after budget that tells us that we're switching to a human capital management system and we hear lots of complaints about banner. Obviously, we have to do this amendment so we can move forward but I think we need to -- and I've had conversations with the chair of audit and finance before but I think this is a really important time to have some accountability for those systems. I mean, there's been so many budgets where we've said we've got this, this is a big capital thing and I think we're doing

[5:15:41 PM]

it. Even this year at the legislative session got a change to one of the things that was a big obstacle, which was making investments when we're moving to the cloud. We got that to be debt financed and so I'm very frustrated that we yet again have to make an amendment to this system. We need to have employment systems that work. So I would like to hear the timeline for the electronic timesheets, which I know is slightly separate from the human capital management system, and the timeline for the human capital management system have, you know, thousands and thousands of employees. We need to have a 21st century system.

>> Thank you very much, council member. So what I can tell you is we are in the process of rolling out the ukg dimensions digital timesheet application. We have rolled it out to our first pilot group of about 600 employees. We're about, starting next month, we're rolling out to the next 1,000 employees trying to

[5:16:42 PM]

make sure we have all our training in place and ready to go as we then continue to roll it out to the rest of the city. So that is in the plans right now and underway. And we plan to complete that by the end of 2023. There's some additional functionality that we need to roll into this, particularly for public safety groups that we haven't started yet. So that is -- right now we're trying to get it out to as many people who are like the pilot group as we can so that then we get as many people on to the system and then pick up those extra pieces along the way to complete the project as we have it planned. The human

capital management system rfp was published, I believe Monday. So it is on the street as we speak. And so that project is being led by hrd and they'll be bringing forward all those processes. And we were waiting significantly for some of the legislation that would allow us to debt fund an online solution and so we're still working with

[5:17:43 PM]

legal counsel to make sure what happened at the legislature is going to make that a possibility but we are moving forward with that project right now.

>> Alter: I appreciate that. We did pass budgets that had capital investments in that system at least two or three budgets ago. So what happened to that money? I know it was a capital budget over multiple years but it still was not presented as if it was going to take this long to do.

>> I believe that council used those funds for another purpose, and I would ask budget to potentially answer that question. But you're right. We did set aside those funds. There was about \$6 million set aside but those funds were taken and used for something else, I believe last year.

>> Alter: Okay. If someone from finance can get me more of that information. I just really want to underscore for my colleagues that this is not a sexy part of city government but it is really, really important for

[5:18:44 PM]

the functioning of our city and we lose a lot of efficiencies and we have a lot of challenges that we don't need to have because we have these legacy systems like banner that are not functioning well for the city. I happen to have been employed by a university 20 years ago that had banner and we had electronic timesheets. I still remain confused on this and I really would like a commitment from the city manager to get this done. I understand there are a lot of systems that have to work together but we have legacy system after legacy system and, you know, we can't just say we've got these legacy systems so we cannot get it done when it is the core function of ourselves as an organization. So city manager, can you speak to that, please?

>> Absolutely, council member, and I appreciate you raising this because it is so critical for us as a well-running organization to have these systems updated. These are very complex projects

[5:19:45 PM]

across multiple departments that have unique work flows and systems in place but I am committed to working with our very professional staff to get that done and I appreciate the timelines and the accountability that were highlighted today.

>> Alter: And if I could just underscore -- I understand the legacy systems are there. I've spent some time trying to understand this problem and why we haven't moved forward but I also know that, you know, we were asking about this, you know, in 2017 when I came in and we still don't have electronic timesheets. So it's -- it needs to move faster. We have to have a method to do this. It's just not acceptable.

>> Yes, I want to thank council member alter for staying on top of this and, you know, working through it in other ways and staying on top of this issue. And city manager, when you're

[5:20:46 PM]

doing that, you might also go back and look. We passed a smart city initiative many years ago that was a first step in assessing where we were. It's a resolution I passed and the purpose behind that was to assess where we were from a citywide perspective on technology. And one piece of it was to move forward and move away from paper-based systems so that we would actually be much more efficient. So that assessment process just ended and nothing came forward from that. And I really appreciate council member alter staying on top of one aspect of that -- and other aspects too, I think she's been doing more than that. Yes, I would also ask you to go back and look at that overall assessment and because at that time the conversation was we needed a plan in place across the enterprise for addressing

[5:21:48 PM]

technology issues and to make sure that we were not just continuing with the paper-based system. I know a few things happened here and there. We worked with the technology community to help us on a few things but systematically I'm not aware of us really having a plan. And if we do then that's something that I think it would be helpful to update the council on.

>> Mayor Adler: Okay. Further discussion on this item? Is there a motion to approve this item 76? Council member Renteria makes the motion. Is there a second? Council member Ellis seconds. Any discussion?

>> Mayor, I'm going to abstain. We have to do this. We have to have our systems functioning but I do want to register discomfort with the fact that we have to keep doing this, and I know we can do better.

>> Mayor Adler: Okay. Let's take a vote. Those in favor of this item,



[5:22:50 PM]

please raise your hand. Those opposed. Those abstaining. 10-0-1 with council member alter abstaining. That motion passes, no. 76 . Let's move to item on eviction. I think it is item 119. Council member Kelly, you pulled this item. Do you want to address it?

>> Kelly: Yes. My understanding is that this will be the seventh extension of this ordinance with no change in language and the situation regarding rental assistance and eviction diversion has drastically evolved since it was first brought forward. Also Austin energy resumes service disconnections on July 14 with the expolice station that expanded assistance is available to struggling customers . I have to take pause here and wondering why we're not being consistent in rules across the board.

[5:23:50 PM]

It makes no sense to me that we would be expanding the eviction ordinance but individuals are not being supported in all ways related to their well-being. I think that's something that should be considered when we move forward with something like this. So I'll be abstaining from this item.

>> Mayor Adler: Okay. Council member Casar, do you want to make a motion?

>> Casar: I'll move passage, mayor.

>> Mayor Adler: Is there a second to this item? Council member Ellis seconds it. Any discussion? I support your motion, council member Casar. I think this is an important thing for us to be doing as we're transitioning out of our covid relief measures. Let's hope we can sustain measures pulling out of covid. Obviously we have a pretty considerable problem here right now but it really is a pandemic of just those that are choosing not to get vaccinated. Hopefully they'll change that. But I do appreciate that this has evolved over time, that

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over time -- and it's been pointed out that this has gone on several times but as it's been going on it's evolving in conjunction with the orders I have issued with respect to evictions and the county judge, various judges have issued with respect to evictions. That made monies more readily available to landlords that have tried to use the money as an incentive to get people to negotiate with their landlords to work things out but also to demonstrate that this is not a practice policy that can continue indefinitely, and won't, so to give people notice that they really do need to make an agreement or plans, as we move out of this. And I think one of the reasons we have one of the lowest eviction rates in the country, I think that's one of the reasons why we have one of the lowest mortality rates from

[5:25:51 PM]

covid in the country because we have been protecting people. So I support your work on this issue and this resolution.

>> Casar: Thank you, mayor. And thank you, of course. Your orders are a critical part, if not the most critical part of making this work and so this alongside the renewal of your orders will provide people who have a lot of back rents to apply for these programs and catch up. Council member Kelly, I appreciate your comments and understand where you and others are coming from. I believe that -- and I think we all believe that it makes a lot of sense to ramp this down. The question is just at which stage in the pandemic should we do so? Just like everybody else, I would really like to see cases go back down. Would like to feel confident that employment is going to remain stable on the rise.

[5:26:51 PM]

Would like to have people have an opportunity to clear their background but I think it is appropriate to extend those eviction protections both at the executive levels, as the mayor and county judge have the authority to, and here at the council level with the hope that we're able to clear people's back rent as quickly as possible and get them on their feet. This isn't just about people not having jobs now. It really is that there are so many people that are back at work but accumulated \$5,000, \$6,000, \$7,000 back rent and are not able to pay that and would have to carry that and that's why our programs are so important to help clear that rent. Thank you.

>> Mayor Adler: It's been moved and seconded. Those in favor of this motion, please raise your hand. Those opposed. Those abstaining. We have council member Kelly abstaining. We have council member alter off the dais. So with a 9-0-1-1 vote this

[5:28:00 PM]

item passes. Let's go ahead and move to item no. 174. It's been pointed out to me that I may have used the wrong number earlier. I want to correct the record if I did. Earlier we passed 174, version two, and that was the version that we passed that contained the addition to the last clause. That gets us then to 175 now. I think that this was pulled by the mayor pro tem. It's an ifc from council member tovo. Is there a preference to who leads us off? Do we want to hear why it was pulled? I think you both pulled it so I'm going to recognize council member tovo first, her motion.

>> Tovo: Mayor, I'll move approval of the version no. 3, which colleagues should be in

[5:29:01 PM]

your inbox at 246. I have one slight edit to make when the time's appropriate. But I'm going to move approval for now.

>> Mayor Adler: Council member tovo moves passage of item 175, version 3. Is there a second to that motion? Council member Kelly seconds that motion. Discussion. Mayor pro tem.

>> Harper-madison: I just wanted to offer some clarification. Excuse me. My allergies are not being my friend today. I want to clarify the geographic location that the resolution pertains to, like the definition comes from city code chapter 92. I don't necessarily have a preference where it's included. Wherever tovo -- council member tovo sees fit, I would like to

[5:30:04 PM]

suggest in line 4, whereas sixth street is defined as the area that begins at the intersection of I-35 and fifth street north on I-35 to the intersection of seventh street east, west along seventh street east to congress -- excuse me -- avenue. South along congress avenue to fifth street east. East along fifth street to I-35, the place beginning. And then my second amendment is line 125. I would like to ensure that the community members that could be impacted by this potential land use change has an opportunity to be involved in the discussion. In which case I would say engage with property owners and impacted stakeholders to discuss land use regulations along sixth street to determine whether changes might foster more diverse use along the

[5:31:08 PM]

historic corridor.

>> Mayor Adler: Mayor pro tem, thank you. This has been handed out to people. Is there a second to these amendments? Council member Ellis seconds them. Does anybody have an objection to these amendments being included? Hearing none, these amendments are included. That gets us to the base motion that's been moved and seconded. Any discussion before we vote?

>> Mayor?

>> Mayor Adler: Council member Renteria.

>> Renteria: Mayor, one of my big concerns also about this particular area here on sixth street and fifth and fourth is how many juveniles we have on the street that late at night. And it's very concerning to me, especially now that the governor has signed legislation that would permit people to open carry their guns anywhere and a lot of these restaurants now consider themselves

[5:32:09 PM]

restaurants and you can carry guns -- you're going to be allowed to carry guns into these so-called restaurants that we know in a true sense that they are bars where there's going to be a lot of drinking and a lot of alcohol involved. And one of my fears is that there are going to be more shootings going on in that area. And we noticed that there's a lot of juveniles, 17 and under, that are hanging out there on those streets. And my biggest fear is that one of these young people are going to get killed or shot. And that is what worries me the most. And I'm going to be recommending that we also look into creating a curfew. It doesn't have to be an all-day curfew but at a certain time at night, somewhere around

[5:33:09 PM]

maybe 10:00, 11:00, they're not allowed to be down there because most of these shootings and incidents happen late at night, not during the early evenings and early night. So I don't have the wording on this. I would like to provide an instruction that they also look into and coming back with information on how we can implement a policy if it's really needed.

>> Mayor Adler: Okay. Further discussion on this? It's been moved and seconded. Mayor pro tem.

>> Harper-madison: So are we taking into consideration an additional measure? Or should I talk to council member Renteria offline?

>> Mayor Adler: It's not part of this.

[5:34:10 PM]

I think the council member was indicating his desire for future action. But those things are not part of this.

>> Harper-madison: I would just like to make it duly noted that I think curfew is a bad idea. I could articulate that more eloquently with more time to do so but I would like very much to talk to council member Renteria offline about the harm that curfews cause in the black and brown community.

>> Mayor Adler: Okay. Noted. Council member Ellis.

>> Ellis: Thank you. I know there's a couple of hands up now. I certainly appreciate those comments, mayor pro tem, and I think what might be helpful is to understand the history of that in our community, because I think there's been some adjustments to curfews and things like that throughout the years, and so I definitely want to understand that in a more historic context with a little

[5:35:11 PM]

more data. But the reason that I also thought that this would be helpful to pull -- and council member Tovo, I think this version 3, it's almost like you read my mind. As I look through this I think it gets closer to what I was thinking. I do appreciate the inclusion of Austin Travis county ems and part of the stakeholders group because I know there's conversations among all public safety about how to do things best in this downtown area. But the one thing I wanted to make sure that I mentioned, the last be it resolved that does say to come back to council by October 30th, I have some reservations about the original way this was written that kind of assumed that maybe reopening was the way to make sixth street safer. And that's certainly a decision I would want our public safety professionals to be making. So I would want to consult with the police department, fire department, and ems to understand their, you know, their protocols, their plans,

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how they stage for weekend events. The types of Intel that they may have information way before we know information. And so I really want to make sure that we have them involved in that conversation and that if we move forward with telling them whether things should be open or closed at certain points that we're really relying on the public safety professionals to guide us through that process and I probably ultimately would prefer it to be up to the chiefs of those departments in any given moment to do what they feel is best. Since that's what they're trained to do. I'm fine with approving this and moving forward in the way it's written. Certainly appreciate the way version 3 has changed but wanted to make sure I voice that here today so that when it comes back to us people are aware of how I'm thinking about this particular process.

>> Tovo: Mayor, before we go on to the next comment, can I better understand my colleagues? I'm not sure I'm following. So this does direct exactly that, right?

[5:37:13 PM]

It directs them to evaluate whether that would be helpful and come back. And certainly our public safety staff are noted as part of that interdepartmental team. I'm just not completely following.

>> Ellis: And it may just be the way I read it and the way you intended me to read it might have been slightly misaligned. But it seemed like upon first reading that there was an intent to move toward having the street open. And I really want to make sure that our APD and ems are making that decision. I feel like if in recent events if they had felt that opening the street would have made things more safe, they probably would have taken that action. So I think we're on the same page here. I just want to make sure the public knows as we move through this that I would be looking for their advice and their guidance on how they can best protect our community, especially on a street like sixth street, which I know is a

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difficult thing to do.

>> Mayor Adler: Okay. Mayor pro tem.

>> Harpe-madison: Thank you. So if I may, I would just like to express my concern. I have super deep reservations about any talk of ending the weekend closures of sixth street to cars. The time where we're talking about vision zero and road deaths and making sure that our streets are safe for all users, I think reopening a heavily-pedestrianized corridor to cars seems like moving in the reverse. I think in terms of limiting violence it could be cutting off our nose to spite our face, honestly. Per the latest APD reports there have been 48 homicides this year. That's 48 too many and we urgently need to address that but at the same time we can't

[5:39:19 PM]

shrug at the 68 traffic deaths that have happened on our roads this year. I don't believe that we can address that by allowing more cars on streets where we have high concentrations of people on foot, on bikes, on scooters. And where we know that many drivers are not entirely sober. I think it's important for us to think of what happens on sixth street on Thursday through Saturday night closures. What we're doing is closing it to cars, sure, but I think we're also opening it to pedestrians. I think we're providing a temporary public plaza to thousands of people who come to downtown to meet their friends, to listen to music, to enjoy all of the most famous night life spots in the world that Austin has to offer. I think that, yes, does come with its own issues. But I hope we can address that

[5:40:21 PM]

without reintroducing traffic, vehicular traffic to a space where we haven't had it since the '90s. And if for no other reason, the last two days alone has made me, personally, hate cars. I want us to be able to walk, roll, bike, do anything but drive cars. I don't think this is the right direction.

>> Mayor Adler: Thank you. Council member Kelly.

>> Kelly: I believe council member pool was first.

>> Mayor Adler: Council member pool.

>> Pool: I just want to make sure we're not actually making this change, right, council member tovo? This is a resolution to ask for input and to answer the very issues that are being raised here today.

>> Tovo: Right. I'll speak more to this in my

[5:41:22 PM]

comments -- let me just, you know, point my colleagues to the multiple other things that the resolution is attempting to do and is initiating an analysis of with the intent to look at creating a safer sixth street. But I'll address this part, your direct question, council member pool, is your question the answer is no. It is not reopening the street. It is asking our staff to look at a recommendation that has been made now several times to see whether that is a worthwhile avenue to look at and, if so, what would be the safety measures that we would need to see in place? Obviously it would not be something we would want to do any time soon, given the crowds there. I've had an opportunity to talk about this in multiple news interviews and others. I won't belabor the point. As the sponsor of the Rainey

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street measure that created the pilot to close off the street, I am super supportive of, number one, making sure that pedestrians and vehicles in highly-pedestrian areas, you know, can walk and move around safely. I think that's critically important. I am 100% supportive of creating spaces for people to congregate and to move safely but we need our interdepartmental team to look carefully at how to address the fact that the wide swath of street is also creating some real challenges to safety. And so you'll see in there not just a request to look at whether street -- rethinking the street closure or the full street closure is appropriate but also looking at ways to widen the sidewalk. That was an initiative that has arisen and been considered but not moved forward. You know, whether widening the street-sidewalk allows for pedestrians to move safely from

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place to place without creating that large street swath that's creating some challenges. It also suggests looking at creating seating in the street. Other ways of utilizing that space that could be safer. You know, I'll say this and then leave -- I know other colleagues have questions and I have other comments to make later but the violence along sixth street is nothing new and I just want to remind you all of something that happened last summer. One of my constituents, a 31-year-old woman experiencing homelessness, was shot dead because of a fight that involved more than 60 people along sixth street. It happened right at the area where we had installed one of our new public water fountains. All of the preponderance of evidence suggests she was there trying to get a drink of water during the period of time where this fight broke out among 60 people and she was shot dead.

[5:44:26 PM]

We have to take action along sixth street and I believe none of most of these ideas are ideas I have initiated and my co-sponsors are initiated analysis on and thoughtful conversation. I just really want to emphasize suggestions that this resolution is asking for our streets to suddenly be reopened without determining whether or not that's even an appropriate action and doing so on any kind of fast time-frame is just -- would just be inaccurate.

>> Mayor Adler: All right. Continuing to move forward. Has anybody not had a chance to speak yet? Council member Fuentes.

>> Fuentes: I wanted to comment or share that we should caution ourselves before considering any type of juvenile curfew. We know that type of policy disproportionately targets communities of color and our youth could be out at night for

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a number of reasons. Perhaps they are working a job to support their family or perhaps they are experiencing homelessness. There are a variety of reasons but simply having this type of policy in place is not the best way to address these type of circumstances, just based on age alone. So I just wanted to give commentary on that aspect. Thank you.

>> Mayor Adler: Thank you. Council member alter, I don't think you ever had a chance to speak on this yet. Okay. Council member alter.

>> Alter: Thank you. I appreciate council member tovo bringing this forward to address the situation on sixth street. I had one small amendment that I didn't prepare because I just thought of it but I think it should be a no-brainer. On page 4 in the lists of the folks for the interdepartmental team, can we add our new office of violence prevention? I think we have some resources there and, you know, this may

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be the kind of project for them to engage in and the kind of expertise we're able to leverage from the national network that that violence prevention office is part of could be valuable, so perhaps we could add that.

>> Mayor Adler: Is there any objection to including that office in the list of members of the team? Hearing none --

>> Tovo: I think that's a very important addition.

>> Mayor Adler: I'm sorry?



>> Tovo: I said I think that's a very important addition and I appreciate my colleague for bringing it forward.

>> Mayor Adler: Without objection, that's added.

>> Alter: Thank you. I share some of the concerns that the mayor pro tem is raising. I understood this resolution to be kind of initiating a process for that evaluation to happen, which is why I'm going to support this, because I think we do need to focus in and try to address the situation. I do, you know, again in lines of raising the office of violence prevention, just want to make sure -- I don't have an

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amendment to this, I think it's very much in line, is making sure that this is coordinated with some of the other efforts that we're doing to prevent violence and to address access to guns, et cetera, which have also contributed to many but not all of the incidents that we've seen at sixth street. Those situations are really different if there's no gun present for them. And the resources that one needs to respond if there are no gun are really different. So I think that should also be something that we are looking at as part of the solution.

>> Mayor Adler: Council member Kelly.

>> Kelly: Thank you. I wanted to say that I appreciate the hard work from council member tovo in this resolution and I was originally encouraged to bring forward an amendment based on feedback I had gotten in the community but I later withdrew it and I would like to provide context for that. The amendment was to look into the possibility of a focused juvenile curfew ordinance for the east sixth street public

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improvement district. My hope is we can have a passionate data-driven discussion in our community about whether we are really serving the youth in our community by allowing them to frequent the entertainment district at night or whether that is putting our children at undue risk of trafficking and other crimes particularly in light of the rising crime we're seeing downtown. Just before I had withdrawn my amendment data was provided to me from APD call responses that did not support this concept. That said I would like to let council member Renteria to know that I do agree with him on some of what he had said. We certainly have an obligation to protect our children and as a mother myself I understand that often requires us to set rules for our own proclamation. I'm encouraged by lines 103 and 104 about underage presence on sixth street remain true today. We have to remain fact based and data driven in our approach to solving problems and I would like to continue to identify data points for future action. Thank you.

>> Mayor Adler: Thank you.

[5:49:32 PM]

We have a motion and a second. Ready to vote?

>> Tovo: No, mayor --

>> Mayor Adler: Mayor pro tem and then council member tovo.

>> Harper-madison: I just would like to point out in terms of problematic drinking behavior, the university of Texas is in my district and if we're going to talk about problematic underaged drinking behavior then I'd like very much for us to address them all simultaneously. So hopefully now that we are speaking on the dais together my colleague and I, you know, get to not break quorum and talk about this in a way that we comprehensively have this discussion because if we're talking about problematic underaged drinking when we got bigger problems than just sixth street, and I'd like to talk about them all. My hope is that while I can appreciate the direction, my

[5:50:33 PM]

hope is that we get to have a full-facing comprehensive conversation about problematic underage drinking behavior in the city of Austin.

>> Mayor Adler: Council member tovo.

>> Tovo: Mayor pro tem, are you directing that comment at me?

>> Harper-madison: No, no, no. I'm saying in general as a body I would like for us, as a body, if we're going to have this conversation, I want us to have a full-blown, full-facing conversation. It certainly was not directed at you but I would like very much, if for no other reason, given your institutional knowledge, I think you know things I don't know. I'm from this city, I'm from here. I know sixth street. I know 14-year-old me on sixth street. So all that said I just want to make sure that the conversation is as evolved as it can possibly be and I certainly am not directing anything in your direction. I'm saying, as a body, let's

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have a conversation about it. A full-facing conversation.

>> Tovo: So I guess my question really was I wasn't sure what was prompting that comment from you, if it was about the resolution asking for that to be -- to coordinate with tab on additional strategies for curbing underage drinking. Again, I didn't know -- certainly the resolution calls for that because some of

the earlier reports did talk about that but, you know, I just want to mention several people suggested actually that there be a reference to the sobering center and its potential role on sixth street, and I didn't include it because that's already happening. That's a really exciting -- anyway, let me step back and say I completely agree. I think we need to talk about underage drinking and ways to really support responsible drinking and educate about the dangers of binge throughout our community and I think the

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sobering center is doing a wonderful job of that in addition to on sixth street but also working with U.T. Campus and other college campuses to do so as well. I have not mentioned the sobering center in terms of sixth street activity because they started a pilot program actually being on sixth street on the weekends through private sponsorship. They are present on sixth street. They are educating individuals who are out about the dangers of binge drinking, about the importance of finding safe rides home, but also about taking care of individuals who may be in their party who would benefit from the sobering center services rather than going home to an empty apartment, going to the sobering center where they could become sober in a safe fashion. And they are able to actually connect those individuals who may need it, directly to a van that takes them to the sobering center. There's great work going on with regard to the sobering center on sixth street and I look forward to continuing to support its continuance. I did want to make one quick edit and really I could have

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done this with yet another draft but having sent out so very many today I needed to give my staff and the agenda -- my fabulous staff and the fabulous agenda staff a break and do it on the dais. On page 4 of 6 one of the staff asked for clarification on no. 2, and this is the point about lighting. So my point here is that the lighting issue is one that I believe we can and should take care of immediately, upgrading the lighting, making sure that it's a brighter space. Again and again as I sought stakeholder input and poured through these old reports, lighting came up and so what I would like to change the sentence to here is as follows, just reversing the question arose whether the temporary lighting was a mandate or whether it was a mandate if deemed necessary. So I'm going to change the sentence a little bit by starting it saying use temporary lighting and upgrade

[5:54:36 PM]

existing lighting as necessary to provide dramatically brighter spaces along the sixth street corridor. I believe it is necessary to do both. There is some question about whether the existing lighting infrastructure can just be managed in a way where it's brighter earlier. APD has an opportunity to adjust the lighting based on my conversations with Austin energy, we got some more information about that

and it's not clear whether that's happening and at what time that's happening. I think it's happening from 1:00 to 3:00 but we also have an opportunity to use temporary lighting and, manager, I would ask you to address these items right away because I think they will immediately improve safety in that area. And they are intended to be experimental. We try these and see what the results are from trying those lighting strategies, as we did over on seventh street and in the alley nearby where there were crimes happening to also looking at some of the pilot options identified in item 3.

[5:55:36 PM]

As I mentioned, sixth street, we have seen a rash of really tragic violence on sixth street and it made moving these issues forward imperative. I have told this story multiple times now, so some of you may have heard it. But in the days after that tragic mass shooting where one individual lost his life and several others were critically injured this June, I happened upon a comment on Facebook referencing these two outside consultant reports that were done and immediately reached out and I got the reports as well and started looking at some of the recommendations that had been discussed from time to time in this community about ways to create a safer sixth street. Some of those changes have moved forward like having restrooms and creating some other changes. And many of those recommendations haven't moved forward. Some of them I'm not suggesting do move forward. Others I think bear evaluation. But some of the conversation in the public has really gotten

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focused on the street closure and other elements that some of the main points I would like to emphasize are the creation of an interdepartmental team to really work together. All of those different departments that now are involved in different elements of sixth street, working together led by the entertainment services division to really look at how we improve safety. Absolutely the office of violence prevention is doing some critical work. Council member alter, I really applaud your leadership in creating that office. I think they have to be involved, as you have identified. Gun violence is one of our greatest challenges on sixth street and there is a whereas acknowledging that. Thank you for making it clear that the office of violence prevention should be part of that interdepartmental team because that's where so much of the safety for Austin residents and Austin visitors will come from the ideas that are brought forward by the ovp. However I think we can make

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sixth street safer through some of these other infrastructure changes and through the look at creating a night life management strategy as other cities have, at looking at having an entertainment license, as some other places have, increased coordination with tab to look at underage drinking and some of the

other issues. I'm also very excited about the potential that we have to look at some of the land use changes that might help diverse the uses. I know one of the major property owners along sixth street is very eager to have those conversations and are going to be heavily involved with them as we move forward. Thank you to my colleagues. Thank you to some members of the community who have showed their expertise on this. I really appreciate this, and of course to our city staff for their guidance and their input. Our city staff have already accomplished some of what is noted as due in August and that

[5:58:39 PM]

is the note on no. 5. So on no. 5 where we've asked them to go through the recommendations and come back and let us know, I have gotten some updates on that and so some of that work is already done. Many of you have asked for me to share publicly, for me to put on the message board or share with media the two reports. Those were not city reports and so we don't have the ability or the permission to do so. Apologies but I did try to capture the major elements that I thought our staff should look at moving forward.

>> Mayor Adler: Council member tovo, thank you. Is it your intent that the as necessary phrase modify both temporary lighting and the existing lighting?

>> Tovo: It is but let me say to our manager that I think we have heard enough repeated comments about how dark it is down there that I will be disappointed if we can't effect

[5:59:41 PM]

any in August. And that is something we can do very quickly through temporary lighting. So, manager, I'll keep the as necessary as modifying both but it's going to be like the seventh street resolution. If we can effect any changes with this resolution I'm just going to bring forth another one and another one until we get a safer situation down there.

>> Mayor Adler: Thank you.

>> Tovo: In this case a brighter situation, since all of our discussions so far have highlighted that as a real key strategy for improving safety.

>> Mayor Adler: Council member tovo, thank you for your work on this. Thank you for the opportunity to join you on sponsorship. It's been moved and seconded. Ready to take a vote? Those in favor, please raise your hand. Those opposed. I see it as being unanimous, all of us. Colleagues, it is now -- mayor pro tem, did you raise your

[6:00:42 PM]

hand?

>> Harper-madison: I did. If for no other reason, I really am just struggling with this one. I think my best bet is to abstain.

>> Mayor Adler: Okay.

>> Harper-madison: I'm really struggling with this one. I just have so many more questions. If for so other reason, I mean, people have been asking for more lighting on eleventh and twelfth street for a decade. I'm struggling why we are paying so much attention to one part of town. I'm struggling. I abstain.

>> Mayor Adler: Let the record reflect. Council member Kelly.

>> Kelly: I was going to suggest if that's something that's needed maybe mayor pro tem could bring it forward and we could resolve those problems.

>> Mayor Adler: Okay. So I would call the vote then 10-0-1. Before I do that, council member tovo.

>> Tovo: I just wanted to offer my support to the mayor

[6:01:42 PM]

pro tem harper-madison if she wants to bring forward a resolution to address some of those, I certainly will support it. I want every area of our town to be safe and to be places where people can thrive and where they can be safe both in the day and the night. The reason, since you asked the question why we're focusing on sixth street is because it is a situation that is of concern. We have thousands of people there in the evenings. I cited what happened to my constituent last summer. We know we have had a rash of fatal shootings these last few months and I just don't ever want to awaken again to the news that I did that June morning where we had had a mass shooting in an area so crowded that it was very difficult for the people [lapse in audio] And we are so fortunate that our police officers who were on the scene were able to get those individuals to either the ems who were waiting or directly to

[6:02:43 PM]

the hospital and of course as we know one young man lost his life and several others were tragically -- were critically injured. Again, I just -- the reason we're focusing on this area of town is because it has shown signs of needing more attention and needs to be a safer place. I've done walkabouts with our police officers out there before, during, and after bar closing and I completely agree with the assessments that we need to work harder to make it a safe environment and I'm going to support you and I'm going to support my other colleagues if they identify areas in other parts of the city that also

need attention. I always have, in my ten years on this dais and I certainly will in the future. I'm going to support creating a safer community, safer neighborhoods throughout our city.

>> Harper-madison: Appreciate that, council member, very much. I believe you mean it. And I will retract my abstention and I will vote for

[6:03:44 PM]

this item but we've got to talk. I mean, givens -- okay. Let's just if we could please just talk moving forward. Thank you.

>> Mayor Adler: Okay. I'm going to call the vote 10-0-1 with the abstention --

>> Harper-madison: Mayor, I retracted my abstention. I vote yes.

>> Renteria: Did we just vote on that?

>> Mayor Adler: We did. 11-0. All right. Thank you. All right, colleagues. It is a little after 6:00 now. We have still the homelessness discussion to have. We're going to discuss the parkland issue in executive session and come out and visit on that. We have two zoning cases still to decide and we'll be talking about the Smith in executive session and deciding if we have the energy to hit the third item. I'm going to call it, just in

[6:04:45 PM]

case. I'm not sure we will. It is 6:00 now. Do you want to go straight into executive session and then figure out while we're back there what kind of dinner break we want to take and then come back out? Let's do that and then we can discuss that. But before we do that, manager, I'm going to give you a second.

>> Appreciate that, mayor and council. If I could have Jose Guerrero come down for a quick moment. Ladies and gentlemen, we have an incredible public servant that is retiring at the end of this week. This is his last council meeting, after 37 years of service with the city of Austin. And with permission I would like to read a quick tribute that director Jorge morales sent to city staff. He has helped with initiatives in our watershed department including the writing of the

[6:05:46 PM]

manual, the watershed drainage master plans and for just about every watershed in our country. Jose has been a long advocate of getting college and high school students an opportunity to learn about

engineering through intern opportunities, which eventually culminated in a formal watershed intern program. He led the diversity and inclusion program for watershed and he has been the face of the department for community-related annexations, neighborhood plans, and drainage improvements. Jose's accomplishments are many and varied and without him watershed protection would not be the organization it is today. Jose plans to retire and take time with his family and relax. He doesn't plan to leave Austin so we look forward to seeing him around and continuing to help our community. Sir, you reflect and embody what it means to be a public servant in the 37 years you have been with the city of Austin we are so honored and privileged to have you as part of this community and this family. Thank you for your incredible service and congratulations on your retirement.

[Applause]

[6:06:48 PM]

>> Thank you very much. The honor has been all mine. Thank y'all very much. I wasn't expecting this.

>> Mayor Adler: On behalf of the council, your fingerprints have been on so many things that have been so critical to this community. Also, thank you for your service and the gifts you've given. Thank you. Council member kitchen.

>> Kitchen: I don't want to take a lot of time but I do want to thank you personally. You and the department have done a lot of work with one of my neighborhoods in particular that has been challenged by flooding issues and actually more than one neighborhood, so I really appreciate y'all's responsiveness in all of your work and I appreciate you for the work that you have done.

>> Thank you.

>> Mayor Adler: All right. With that, the city council will now go into closed session to take up two or three items pursuant to 551.071 government code, city council will discuss legal issues relayed to 133, submit the city of Austin, also 177, which is the resolution

[6:07:50 PM]

about preparing an ordinance to order a special municipal election. Pursuant to 551.074 the government code the city council may discuss personnel matters related to item 136. Without objection we'll now go into executive session on the items announced. Hearing no objection here at 6:07 we'll go back to executive session. I apologize to zoning folks that have been with us all day and on the few items that we have left. We'll endeavor to come out as soon as we can. We're in recess. We're heading to executive session.

[Executive session]



[7:56:42 PM]

[Executive session]

[8:58:39 PM]

>> Mayor Adler: It is 8:58. We are out of closed session, in closed session we discussed items related to items 173 and 137. We did not discuss 136. Colleagues, we're back out, this is how I propose -- let's quickly work on 54 and 55. We're not going to have the longer conversation about putting those into context tonight, but at the budget meeting on Tuesday, budget deliberations. Obviously that will be part of the staff preparation at that point so we can have that conversation there. But let's take care of 54 and 55 year. Then we'll go to the two zoning cases, first one 41, which is the discussion postponement. And then merits, if it doesn't get postponed. And then 177, and then we

[8:59:41 PM]

will come back and do the parkland case, 177. So 54 and 55, then 141, 146 and then 177. Okay? So 54 and 55, does someone want to move passage of 54 and 55? Councilmember Kelly makes that motion. Councilmember Ellis seconds. Any discussion on 54 and 55? Councilmember tovo.

>> Tovo: Yes, mayor. I just want to be sure that my amendment -- my direction is being incorporated into the -- if that's the maker's intent. This codifies the

[9:00:41 PM]

conversations that our office has had with escalata and the neighbors and I want to thank our staff for continued work with the community. For the makers of the motion, does your motion include my motion sheet. Or let me make that as a formal motion to item 54, please.

>> Any objection to including councilmember tovo's language in item number 54. Yes, councilmember Kelly.

>> Kelly: I really like the direction that she's giving there and I think that we could move forward with it.

>> Mayor Adler: Okay. Anybody have any objection to including the -- Kathie tovo's direction on 54? In 54. Yes, mayor pro tem.

>> Harper-madison: Item

[9:01:41 PM]

146 --

>> Mayor Adler: We're not to 146 yet.

>> Harper-madison: Right. You said 54, 55, 141. I didn't hear you say 146.

>> Mayor Adler: Yes. 146 will be the third thing we do.

>> Harper-madison: Okay, thanks.

>> Mayor Adler: No problem. Right now we have a motion on 54 and 55 and 54 Ted Cruz includes the direction from councilmember tovo. Any further discussion? Yes, councilmember Fuentes.

>> Fuentes: I think it's important that we at the dais have a dedicated hearing on homelessness. I feel like we've often had these conversations in an apreviousiated format where it's -- abbreviated format where it's jamb packed in an agenda that has lots of items that are important that we're discussing and I know we're coming up on a budget session. We're in a crisis mode when it comes to unhoused. The approach that the city manager is laying out in response to prop B is about

[9:02:42 PM]

to come up on our deadline there. And with the statewide ban coming up on September 1st really we need a dedicated space with the county, with central health, everyone involved with it, so we can have a space to have a thoughtful and meaningful conversation. As well as to highlight the successes that we've had as a council, including the heal initiative, and to talk through all of the changes in our response. So I just wanted to provide general feedback for my colleagues to consider.

>> Mayor Adler: I think it's true and I'm looking forward to the conversation we'll have on Tuesday because I think there are a lot of issues that we have not discussed through. I'm not sure what the community expectation is. We passed a resolution, a ballot measure, that said that people could not tent the way they were without

[9:03:43 PM]

being told they need to move. And that obvious, the manager is rolling out enforcement of that and it's coming due. And the question is where do those people go. There's not a place for 2,000 people to go. If there was, we wouldn't be in the place we're in to start off with, if the resources were there to find places for 2000 people to go, it would already have happened. We do have some limited resources and

in fact, we're putting more resources to it and have the ability to do something in really grand fashion, but we have a choice. We can either spend it on immediate answers to the question to where people go or we can invest that money in also short-term bridge type things, but that get people into housing. So I think that the question that we'll have to discuss on Tuesday is what is the

[9:04:43 PM]

relative merits of those two things. I know there are some cities that have taken their money and invested it all in building sanctioned camp areas. They still have challenges with homelessness years later because just putting people in a sanctioned camp area doesn't actually help people get off the streets for any period of time and it also means that your wraparound services that you give for mental health intervention and support or substance use issues is not very efficient because it's not very effective in those environments. We do have organizations in town doing great work and they're 90, 95% successful, but the ones that are that successful are the ones that have the greater ties to housing. Not necessarily permanent supportive housing, but also rapid re-housing.

[9:05:43 PM]

And we're already having success in some of those. The heal initiative we have a lot of successes with. We have the motel strategy that we're having successes with that we're moving in the combination of that and the heal is working. So the answer to the question where do people go is something that we have to deal with. Two years ago there was a place where people went, and basically it was moving around because that's where the ordinances were, that's where the ordinances have returned to. For me we need to get people out of tents and into places that helps ensure that they don't go right back and where we might smart use of taxpayers' dollars so that we actually spend them in a way that gets people off the street. I think we need to enforce the ordinances as the public voted to do, but I hope that we don't take all our available money and spend it on something that gives us an immediate answer, but

[9:06:43 PM]

helps create a longer term challenge and digs us just even deeper into

[indiscernible]. But manager, I hope these are the kind of things that we'll be discussing on Tuesday and that you and the homelessness officer will be helping to lay out what the choices are. What are the alternative choices, what are the opportunity costs so we can make decisions with the resources that we can bring to bear. Okay. So --

>> Tovo: Mayor, I appreciate, councilmember Fuentes, your comments. You know, one of the things that concerned me on Tuesday is we were running out of time and we took up the issue in a very brief fashion. We were headed to do the same here tonight, just because we're out of time, which is why I suggested to the mayor that we carve out some space outside of today's meeting to have a

[9:07:45 PM]

fuller conversation and I appreciate that you and the manager have come up with some time to do that on the budget work session because I know we all have lots of input and questions and comments about this issue and we just are simply out of time. And I just wanted to say for members of the public that are disappointed we didn't talk about it on Tuesday and didn't talk about it today, it is not because we don't have a considerable amount of exploration and comments and questions and want you to get that information as well. It's really because we just can't do the subject justice as much as we have before us here this evening remaining. So I just wanted to make sure people understood that it is -- because we place such a high priority on it that we're not taking it up again today.

>> Mayor Adler: Thank you, councilmember kitchen.

>> Kitchen: May I just add --

>> Mayor Adler: Councilmember kitchen.

>> Kitchen: Yes. I just want to add I look forward to the conversation next week and thank you everyone who has made their comments so far. We have a lot more to

[9:08:46 PM]

discuss next week. So councilmember Fuentes, I appreciate your ideas related to a larger conversations with our colleagues at the county and perhaps others, so I would like to explore that and next week when we have conversations and see what might be a path forward there. So much more to be said. I'm not going to take the time for doing it right now, but I look forward to our conversations next week.

>> All right. In front of us are items 54 and 55. Those in favor of these two items please raise your hand. Those opposed? It's unanimous with council member -- I think we're all here. So everybody is voting aye, 54 and 55 pass. That gets us then to the first zoning case. It is item 141.

[9:09:48 PM]

This is the 12th and Springdale matter. Jerry, do you want to call this?

>> Jerry rusthoven with the housing and zoning department. With regard to the postponement request, the mlk neighborhood association has requested a postponement of this case to September 2nd. It is their second request and the applicant is opposed. And Alice Glasco is the agent for the case who can speak to her opposition.

>> Mayor Adler: Okay. Councilmember harper-madison is this in your district? Mayor pro tem, do you want to make a motion?

>> Harper-madison: I would like very much to do so. I would like to go ahead and respect the neighbors' desire for postponement.

>> Mayor Adler: Okay. Mayor pro tem harper-madison moves to postpone this. Is there a date --

>> Harper-madison: So mayor, can I speak to it?

>> Mayor Adler: Yes, are you moving to postpone to a

[9:10:48 PM]

date certain? As it regards to the postponement request, if I could just speak to it. Excuse me. Give me a second. I'm sorry, I'm going to mute myself for just a second.

>> Mayor Adler: Do you want me to call the applicant to speak first?

>> Harper-madison: Yes, please.

>> Mayor Adler: Okay. Is the applicant with us?

>> Hello can you hear me?

>> Mayor Adler: Yes, we can.

>> Good evening, mayor, mayor pro tem, council members. Alice Glasco representing the applicant. So this is the neighborhood's second request for postponement. At the June 3rd meeting the request for postponement was to July 29th in order to

[9:11:50 PM]

coordinate -- to study the

[indiscernible] And reach out to us for meeting. That has not happened. The neighborhood reached out to me July 19th. We said yes, we're willing to meet if they could send us their questions ahead of time so we could be prepared to answer, but they did not do that. So the postponement request is a surprise to us because at the planning commission meeting of may 25th, before that meeting the neighborhood had reached out to the historical landmark commission, Texas historical landmark commission, they sent

a letter to council urging you to direct the planning commission to postpone the case until we had done some study of the possibility of cemetery burial plots on our property. So we volunteered to go ahead and hire an archeologist and geo scientist to conduct an

[9:12:53 PM]

analysis of the site as represented by the Texas historical commission, although we're not required by city code, the city does not regulate burial sites or cemeteries as a land use matter. So we are ready to be heard. We filed this case 12 months ago. We've been ready for 12 month. The information in the staff report provides all the information, the archaeological analysis conducted by Dr. Hector Hinojosa who is a geo scientist and archeologist. So we are ready to go. The planning commission recommended this case with some affordability requirement and the vmu. So we would like to be heard today, and the case is ready for all three readings. We have a private restrictive covenant as suggested by law because the city cannot accept affordable housing at a lower mfi than what is

[9:13:54 PM]

required under vmu, so we're ready to be heard. So if you could advance to the presentation and our next slide, please. Since my preparation is already up. So the second slide shows you the location of the site tract 2 and tract 2 has a building that is vacant. It is boarded up. It's zoned gr-mu-np. Tract 1 to the west of the subject tract of tract 2 was par of the rezoning. We asked for mf-6. The neighborhood asked us to withdraw our mf-6 zoning and build under the mf2 zoning that exists today. And we hoped with that withdrawal they would support our rezoning of tract 2 to gr-mu-v-np.

[9:14:59 PM]

Bethany cemetery is behind us. The concerns were that the boundaries were encroaching into our site. Our archeologist wrote to the Texas historical commission and provided documentation to confirm, and they wrote back confirming that the cemetery boundaries do not, I repeat, do not extend into my client's property. The neighbors also asked us to look into flooding problems. There are four homes that are south of tract 1 that are experiencing flooding. I reached out to the director of watershed protection and he and his staff determined that yes, those homes do flood and it's due to inadequate flooding mitigation that the city may have or may not have conducted many years ago, and they would appreciate a partnership with them because the redevelopment of our property can alleviate flooding that is being there

[9:15:59 PM]

today through regional storm water management. It's voluntary on our part whether we have detention ponds on our site, but the watershed protection staff would prefer or would like for us to volunteer terribly agree to participate in additional storm water management so we can help alleviate the flooding. Next slide, please. So some of the speakers seemed a little confused about what existing zoning is. The existing zoning is gr-mu. The maximum height is 60 feet. The proposed zoning is gr-mu with a V overlay. The V does not change the base height. Compatibility standards apply to the site and those standards also dictate the height based on your setback away from single-family zoning for use.

[Buzzer]. Gr-mu does not require commercial zoning, does not require mixed use. We can do 100% residential

[9:17:00 PM]

units and we can achieve 76 units. However, under gr-mu-v, the V allows us to have 126 units and commercial space is mandatory. The residential units have to be under the V ordinance, have to be -- 10% of the units at 80% mfi at the planning commission commission, and I have a typical Poe there, the planning commission recommended 10% at 60% mfi.

[Indiscernible] Because they were advised by law that they could not require us to provide, to deviate from the V that requires 80% mfi. We have agreed to that, there's a private restrictive covenant in your backup that we can record after this case is approved to provide 10 speaks of a update, that's 13 units at 60% mfi. We do not have to do that under the current zoning of the 66 units. Springdale is an activity corridor, which should be activities and types of

[9:18:01 PM]

buildings, including mixed use buildings.

>> Mayor Adler: Okay.

>> The combined nation vision is this site should be designated as a mixed use to serve local and --

>> Mayor Adler: Glace Glasco, do you want to go ahead and close?

>> Yes, mayor. I just want to point that this chart shows you that current zoning allows development on the site. All residential, no commercial required. The V allows additional density and in exchange the state requires that we provide affordable housing, 10% of the units, and it has to be mixed use. It meets the needs of the neighborhood. And with rezoning change we can partner with watershed protection to alleviate flooding, thank you, mayor.

>> Mayor Adler: Thank you.

>> Harper-madison: Thank you, mayor. So the motion I would like to make is first reading only. My apologies. You will have to forgive me, my situation. But the motion I'd like to

[9:19:01 PM]

make is first reading only.

>> Mayor Adler: Okay. Councilmember harper-madison moves passage of this item on first reading only. Is there a second? Councilmember pool seconds that. Any discussion? , Councilmember pool?

>> Pool: I wanted to give a shout-out to Ms. Glasco for her work on this particular case. Adding the V to the existing zoning is going to provide affordable opportunities with all the entitlements that the V affords, of course. And there are no increases in the zoning entitlements really and we are going now to have an ability to have 10% of them be affordable units. And I understand and Ms. Glasco can confirm this that the applicant moved from 80% mfi to 60% mfi at the request of the planning commission, is that correct?

>> That is correct, councilmember pool. And we do have a restrictive

[9:20:02 PM]

covenant already in your backup that documents that.

>> Pool: Thank you, mayor pro tem, for making the motion to approve this on first reading. I think this is a good project and I'm happy to second it and support it.

>> Okay. Moved and seconded. All those in favor --

>> Kitchen: Mayor, can I make a comment?

>> Mayor Adler: Councilmember kitchen and then the mayor pro tem.

>> Kitchen: Mayor pro tem, did you want to comment first?

>> Harper-madison: Yes, please. Chair, you select as you see fit.

>> Mayor Adler: I was going to let you close, but you can go ahead and speak. Revenue.

>> Harper-madison: I'll just say this, I understand that the neighbors would like additional time to review the archaeological report and have the opportunity to ask any questions they may have. I also understand that the applicant has been very patiently waiting since April to have their case taken up by council.

[9:21:05 PM]



We generally give each party one postponement each and then the neighbors have already had theirs. So to be fair to the applicant, while also affording neighbors time to review the report, I'm very happy to move forward today on first reading only and to reconsider the case on August 26th. I do think it's important to briefly speak to some of the concerns that were raised. And I think Ms. Glasco already spoke to some of those, but I'm very empathetic to the concerns about the cemetery. In fact, my team and I have worked extremely hard at the request of the mlk neighborhood residents to bring forward an item that would transfer ownership of Bethany cemetery to the city in order to ensure its preservation and care in perpetuity. However, I withdrew the

[9:22:06 PM]

item, I withdrew that item rather, when those same residents informed us they no longer wanted to move in that direction. Additionally, it was my office that encouraged the applicant to do an archaeological survey, which was not required along the property boundary before it came to council. That said, these concerns can be addressed through these -- through the zoning processes. If the zoning case is not approved, the applicant will move forward to develop this site under the existing zoning. That would still allow them to build up to 78 units with no requirement that any of them be affordable. The building could be the same height as the one proposed under current zoning change, but it wouldn't come with any of the proposed significant storm water improvements that would address the existing flooding in the area.

[9:23:06 PM]

Denying this rezoning will stop the development of this site, but it will cost us the opportunity to score some highly welcomed community benefits of it. It is my hope that between now and August that the neighbors will work with my office and the applicant to find a solution that produces the best possible outcome for the community.

>> Mayor Adler: Okay, thank you. Councilmember kitchen.

>> Kitchen: Thank you. I'll be brief. I was just going to say that -- thank you, mayor pro tem. I think that that's a very appropriate approach which allows for the neighbors to have an opportunity to ask questions and explore this a bit more, but it does move the case forward. Thank you for that explanation and I do support this motion.

>> Mayor Adler: Okay. The motion is to approve 141 on first reading, coming

[9:24:07 PM]

back to us at the meeting the last week in August. Let's take a vote. Those in favor of this item please raise your hand. Those opposed? I think that's everybody. Who's not here? Councilmember Kelly is not here, off the dais. Others voting aye, it passes. All right, let's go to item number 146.

>> Mayor, Jerry rusthoven, planning and zoning again. This is for the property at 160 one east Anderson lane, it is currently loaned lo-co-np. The requested zoning is to gr-np. The staff recommends approval as does the planning commission. I would like to note in this case that the petition is no longer valid and also despite the requested zoning the applicant's intention is to construct affordable housing under the affordability unlocked

[9:25:07 PM]

program, which would be allowed under gr-np zoning without an mu overlay. So with that I'm available for any questions.

>> Mayor Adler: Yes, councilmember pool.

>> Pool: Thanks. Mr. Rusthoven, can you tell us what happened with the petition, why it's no longer valid?

>> The applicant has reduced the fear rezoning.

>> Pool: Does that mean applicant changed the boundaries in order to invalidate the petition?

>> Reduced the size, yes.

>> Pool: I don't support those sorts of actions just to be really clear about it. That is really unclear and it is creating a significant obstacle for me in supporting this particular application.

>> Mayor Adler: All right. Is there a motion to approve item 146. Councilmember Casar makes a motion. Is there a second? Councilmember Renteria seconds it. Any discussion? Mayor pro tem.

[9:26:13 PM]

>> Harper-madison: Thank you mailbox. I appreciate y'all's situation with my situation -- y'all's understanding of my situation. I talk a lot about car 17 tick planning in Austin and how it has truly led us to some less than great outcomes. This item before us is a prime example. We have a severe housing crisis in this city and we all need the affordable units. We need all of them we can get. Unfortunately this kind of project, it has to pencil out. You need cheaper land. And some of the cheapest land we have in Austin right along the many miles of freeways we've laid out across our city, it's -- excuse me, my thing is beeping. It's cheap because of all the negative effects created by the freeways, noise, light pollution, air pollution, zero walkability. So I'm conflicted when I get

[9:27:15 PM]

these proposals much like my colleague, to put housing for our most economically marginalized residents in this dirty, dangerous location. As I said, low, we need all the affordable units we can get. In this case I'm glad the developer has agreed to providing an easement for pedestrian pathway behind the property that could let future residents safely walk with or bike along Cameron road. But I do hope one day soon we'll talk about changes that can be made so that we aren't putting low income housing in the least desirable locations in town. One way to get there is to finally address our outdated land development code in a way that let's more people live in high opportunity areas. Another way is to update the scoring criteria for affordable housing in a way that reflects the quality of

[9:28:17 PM]

life impacts. An expensive car dependence created by putting housing on highways. As it stands, when people say don't Dallas my Austin, I can't help but tell them, we literally have no other choice, in which case my motion is to approve the staff recommendation for all three readings with a public trail easement donated to the city of Austin prior to the first certificate of occupancy being issued for a residential -- for residential use within the creek area for connectivity to future trails, to adjacent property along the creek area.

>> Mayor Adler: Thank you.

[9:29:21 PM]

I think this has been moved and seconded. Any further discussion on item 146. Yes, councilmember Fuentes.

>> Fuentes: I wanted to echo what my colleague mentioned earlier, councilmember pool, in saying I also don't support tactics that are used to strategically invalidate voices from the community, so I just wanted to note that for the record. Thank you.

>> Mayor Adler: Yes, councilmember alter.

>> Alter: One clarification. This item is in mayor pro tem's district and she just made a motion. Is that the same as your motion? I'm not going to vote in fair of it because I have the same as councilmember pool and councilmember Fuentes.

>> Mayor Adler: It's mayor pro tem's motion to pass this item. Thank you,.

>> Alter:.. Seconded by councilmember Casar.

>> Alter: Okay. And then if I can make any comment. So I voted in favor of cases

[9:30:23 PM]

that have a valid petition and I've voted against cases that have a valid petition. For me I always try to evaluate each case as it comes. But I do have a long-standing position of opposing cases where a valid petition has been broken by changing the boundaries of a zoning case for much the same ropes that have been cited by my colleagues. I believe it's a disservice to public trust when neighbors follow a process and have the rug pulled out from them at the last minute. While I think this case does have some merits, based on my position on what I consider to be a developer practice we should discourage, I'll be voting against this case today.

>> Mayor Adler: Okay. In the mayor pro tem's motion it was mention of the easement. Council, do you want to just address that real quickly?

>> Yes, mayor, Lee Simmons for the law department. Generally code does not authorize the city to accept a trailer trail easement at the time of zoning. That would be more appropriate for perhaps a private covenant between the

[9:31:24 PM]

neighborhood and the developer in this case. But accepting the trail in this case under code and state law it's not legally feasible.

>> I'm sorry, I didn't catch the last part of the it's not legally what?

>> Feasible.

>> Mayor Adler: So is this motion to approve it on all three readings or was it short of all three readings? What do we do with this issue?

>> Make the case is ready for all three readings, but as you just heard from the city attorney's office, they are concerned about the trail easement aspect of it. But that aside the case is ready for all three readings.

>> Mayor Adler: Mayor pro tem, legal has indicated that we can't make part of the motion the acceptance of the easement today. I don't know if you want to move forward without that or whether you want to approve it on something less than three readings to come back.

[9:32:28 PM]

>> Well, admittedly I have some concerns. I know this is probably our last zoning case for the evening, but I'd like to at the very least have a few minutes to talk to my staff.

>> Mayor Adler: Okay, we'll do that. Jerry, where does it stand right now? Have there been any readings approved on this yet?

>> No, mayor, this is the first time.

>> Mayor Adler: All right. We'll table this and we're not going to have a long break, I think, but we're going to move to the other remaining item on our agenda which is item 177. On item 177, council members, do you want to -- councilmember Renteria, do you want to make a motion? Hang on a second. We can't hear you.

>> Renteria: Sorry. I'm trying to remember

[9:33:28 PM]

the -- how it used to work!

[Laughter]. We've been gone so long. In fact, they found a petrified banana in my drawer.

>> True story.

[Laughter].

>> Renteria: I move to pass item 177. We had a request from the parks department that their maintenance yard that's there on riverview I believe the name of the street is, and we -- on lakeshore boulevard, it's an old maintenance boulevard, it has outgrown the nine acres and we request that we put it up for sale so with the ability of having it sold

[9:34:29 PM]

and with that and with that build a brand new maintenance facility, and also with the ability also of getting 50 plus acres of river front property along the Colorado river. So I move that we pass this and give it to the voters so that they could make a decision if they want to sell this piece of property.

>> Mayor Adler: Okay. There's been some language handed out. Is your motion including the language that's been handed out on the disabled student services for the be it further resolved clause? Version item 177, version 2. This is the language?

>> Renteria: Yes.

>> Mayor Adler: I'm going to read it into the record.

>> Pool: Do you need a second?

>> Mayor Adler: I'm going to read the language first and then we'll get the

[9:35:29 PM]

second. The city council directs the city clerk to prepare an ordinance to order a special municipal election to be held on the November 2nd, 2021 uniform election date. On the question of authorizing the city council to convey approximately nine acres of parkland located at 2525 south lakeshore boulevard, also known as central maintenance complex, cmc, through a public bidding process. The city would convey the land in exchange for 49 acres of land with warrant consistent with a city wash or other land the city deems acceptable of equal or greater value an the appraised value of the cmc. Two, the cost of or construction of a new maintenance facility to house pard maintenance staff on existing parkland. And three, funding for the restoration and remediation of the land currently being used at fiesta gardens as a maintenance facility. That's the motion. Is there a second?

>> Casar: Mayor, I have one quick question about that.

[9:36:30 PM]

Councilmember Renteria or mayor or law, I thought we were trying to merge what was posted with also the minimum being this 49 acres of land. And I think what was posted was land -- land or its cash equivalent I think was what was previously posted. My understanding is what we're trying to ask for is at a minimum this 49 acres of land or if somebody is going to do better than that, they would have to bring better land or its cash equivalent I think is what was posted.

>> So I can give you some proposed language.

>> Casar: I just wanted to see if that's what everybody had agreed to.

>> Mayor Adler: So just for format -- that's a good question. We have a motion with this language. I'm looking for a second right now. Councilmember pool seconds that motion. So that's in front of us. Councilmember Casar, are you proposing a change?

>> I would propose that

[9:37:30 PM]

change because I thought that that's what -- where people were, but I wanted to check to make sure. I'll just go ahead and propose the change to add the cash equivalent as was originally posted as an option.

>> Can I read the language?

>> Mayor Adler: Yes.

>> So the city would convey the land in exchange for, and this is where it would happen, one, 49 acres of land with waterfront configure just to an existing city park or other land the city deemed acceptable that is of equal or greater value than the appraised value of the cmc or cash equivalent of equal or greater value than the appraised value of the cmc.

>> Or cash equivalent?

>> Or cash equivalent of equal or greater than --

>> Mayor Adler: Of equal

[9:38:31 PM]

cash equivalent of equal or greater value than the appraised value.

>> Of cmc.

>> Mayor Adler: Of cmc. Comma, and then two.

>> Yes.

>> Tovo: So mayor, that still leaves out -- Marx I don't want to jump in, but I think the point you were raising that it leaves out some of the language, I think it still leaves out the clause that was in the original, which was the combination of land and cash or cash equivalent. I think we're still missing a phrase, though maybe I'm not following.

>> Pool: I agree with that. I think it was tied with a combination. It says or combination of lapped and cash.

>> Mayor Adler: So it would say cash equivalent or

[9:39:33 PM]

combination of land and cash or cash equivalent of equal or greater value than the appraised value of cmc.

>> Yes.

>> Mayor Adler: Or cash equivalent or combination of land and cash or cash equivalent of equal or greater value than the appraised value of cmc.

>> Yes.

>> Mayor Adler: Okay. That amendment has been proposed. Is there a second to that amendment? Councilmember Ellis seconds that. The amendment is in front of us. Councilmember alter.

>> Alter: So I know that the parks department is handling the rfp so I know they would want to have parkland, but I'm wondering if the dais thinks there would have value in saying that it was "Or other land

[9:40:33 PM]

the city deems acceptable as parkland that is of equal or greater value. " To me it's important that we're getting land that's to be used as a park. So I don't know what the best language is because now we need to put it in two places but that would be --

>> Mayor Adler: Let's hold off to that amendment because it's in a different place. Just for a moment let's dispose of the Cass czar amendment first. Because you're amending a different section, different line.

>> Alter: Well, it would be that -- because if it was cash or land equivalent -- if we said cash or cash equivalent or a combination of land and cash, I don't know if you have to keep repeating it as parkland.

>> Mayor Adler: Well, you could say if that's what our --

>> Alter: But it's not parkland when they hand it to us.

>> Mayor Adler: Contiguous to a parkland or other land that the city deems

[9:41:34 PM]

acceptable as parkland that is of equal or greater value or cash or cash equivalent of cash equivalent -- or a combination of such land.

>> Alter: Sure.

>> Mayor Adler: Of such land and cash or cash equivalent greater than the value of the cmc. I put such in front of the land of the second time and first time put in parkland.

>> Alter: That's okay. If you guys think that works, my concern is to make sure that the land that we would be getting would be used as parkland since we're giving up parkland.

[Indiscernible]. Council says that does that. Any objection to that change? Hearing none, that change is included. Any further discussion on this item? We ready to make a vote?

>> Tovo: Mayor, I have some discussion, but I also

[9:42:35 PM]



have a question for our staff?

>> Mayor Adler: Okay. Staff, I don't know if this is for our legal staff or for our park staff. If we wanted to do a long-term lease on this tract, would that also require from the people? I believe it does, right? I just wanted to clarify.

>> Yes, council member, lease is an alienation of real estate rights.

>> Tovo: So with convey, does convey through mean sale and lease? And where I'm going from -- where I'm going to is that I'd like to -- it might be that we want to consider a lease as opposed to actual sale. Would that be an option or to convey both of these alternatives? Or if I want to -- I guess the upside of that is does

[9:43:35 PM]

convey capture both of those alternatives or should I make an amendment to say convey or lease or when we're doing a long-term lease are we in essence conveying it?

>> I think you should say convey or lease.

>> Tovo: So I would like to as I'm thinking about it and I wasn't in the subquorum so I'm not sure if you addressed that. I think it would be good to have that option if the voters support this and we move forward with doing an rfp on this property, we might want to see options for a long-term lease on this land rather than an out right sale. So I throw that out there to my colleagues who sponsored this, councilmember Renteria. And if we can't add that

[9:44:36 PM]

piece of it tonight could we add it to the ballot language when it comes back to us?

>> Renteria: Mayor?

>> Tovo: It's not in today's resolution.

>> Renteria: If it meets the goal of building -- whoever is leasing that is going to build a brand new park and maintenance yard and do the improvement at fiesta garden at the same time, then I would look into that. But if they cannot meet that requirement, then I don't feel comfortable with leasing that land because the goal is to get a new maintenance yard. We have outgrown that and I don't feel comfortable going to the taxpayers and asking them for a bond election when we had an opportunity to sell that piece of land and get a new maintenance yard.

>> Tovo: I understand.

>> Mayor Adler: I have a legal question in terms of setting this up. If we pass this today, this gives direction to staff to

[9:45:37 PM]

come back with an ordinance. The ordinance will come back to us on the 11th, 12th or 13th. We can change the ordinance at that point. We could change the ordinance at that point to do something different than what we have here today so long as the posting language when it comes back to us is broad enough to let us do that.

>> That is correct.

>> Mayor Adler: So I would suggest that we include the language "Convey or lease" at this point, but I would also ask staff to give us as broad a posting language as we can get, recognizing that we may want to do work and have ballot language that might not be entirely consistent with what we're having here. Is that possible?

>> Yes.

>> Mayor Adler: Does anybody have any objection to adding "Or lease" next to convey. Hearing none, that change is made. Further discussion? Councilmember alter.

>> Alter: I'm comfortable with what you just said as the practice of what we're allowed to do. I would ask my colleagues

[9:46:38 PM]

and staff if we can make sure that we have time to review the language and that we are not at the very last minute trying to adopt language that is suddenly drastically different. I know that we're trying to get this language right and perhaps there are some changes that are worthwhile so I'm not saying no changes, but just making sure that we have time to look at it, have our staff look at it and be able to ask questions of legal staff, etcetera, as needed.

>> Mayor Adler: I think that's a really good point and will be absolutely necessary.

>> Tovo: Mayor, mayor? I'm sorry. I had a couple of things I wanted to say earlier. Contended with the lease portion. I appreciate it. I think that's a did solution. I would like to have that option. There are just a couple other things that I wanted to mention as we're considering this. I support having this be an option that the voters consider and so, you know, moving this resolution forward today and coming back with ballot language

[9:47:39 PM]

seems to me to make a lot of sense. I also want to say that I understand there is a particular proposal and it includes some elements and that is a good conversation to happen. I also want to say, though, that I understand that this is a pretty valuable asset. This is a piece of city-owned land that is not being used for its highest and best use, but it is -- but it could be. And it's a valuable asset. And it is going to be in our best interest and in the taxpayers' best interest for us to really maximize the potential on that property and really to get the highest -- absolute highest value out of it. So understanding that there are some other elements in here that are also important such as the remediation and restoration of the land at fiesta gardens as well as the new facility, I want to be sure that we are getting the absolute maximum value. So the line about it being equal or greater than the appraised value is very

[9:48:40 PM]

important to me because that should in my mind be a very important consideration, both that we accurately value the -- that we accurately appraises the value of any tracts that are coming in through that rfp process as well as really making sure that we're accurately valuing this tract. It is in an area where several properties have been rezoned. I think that's one very close by that was rezoned for increased height, if I'm remembering correctly, up to about 120 feet. So if we are in a position of doing a long-term lease or a sale of the -- of our lakeshore tract, then I would expect it to be appraised and valued and sold or leased at a price really reflective of what the entitlements are on nearby tracts and given its proximity to the east Riverside corridor where we have certain incentives that apply. So that's two points. One, I would want to be sure that we're getting the right value out of anything that's being offered to us.

[9:49:43 PM]

That we're getting the right value out of our property. What comes to us so we're getting the best deal for our taxpayers and we've had a couple of conversations in the context of St. Johns property, the St. Johns tract in the context of the health south tract I've indicated a couple of times and I'll follow through soon I hope on setting up the council work group I hope so we can codify some changes on how the council is involved in real estate transactions. This is moving us in a direction of potentially having a real estate transaction on this tract and I would like to provide the direction is in today's motion that before an rfp is released, if this passes, if -- if we call an election and set the ballot language and this passes, I would like the council to have a role in approving any rfp that goes forward involving this tract so that we are not in a position of then

[9:50:46 PM]

evaluating different proposals and saying gee, we wish we had done this or we would like to request this but we can't negotiate it because it wasn't in the rfp. We've been in that position multiple times and I don't desire to be in it again. So my direction would be that the council be involved in approving any rfp on this tract prior to the being released.

>> Mayor Adler: Okay. Councilmember Renteria.

>> Renteria: And do you know what? We always had the indeposition of doing that. And we have it written here in this resolution that equal or greater value so it's either going to be equal to the appraised value or we'll open it up for bidding and that's the beauty wildfire we'll be able to build a brand new

[9:51:46 PM]

maintenance facility for our city employees and get them out of this very overcrowded facility and downtown where traffic is horrible and you cannot get out of that area and it takes a lot of time and we're wasting a lot of resources and time and energy and money by having these employees concentrated right there. And that's why we brought this -- I brought this resolution forward is to make sure that we are taking care at our city employees, at the maintenance facility and get them into an area where it's easily accessible for them to get out on the road and go out and do their job. And that's what the whole focus that I'm doing over there. And that's what we need and it's not going to cost the taxpayers a dime. And that's what's the beauty

[9:52:48 PM]

of it. And then plus, we're going to be able to use some of the funds to restore fiesta gardens to its original appearance when it first opened up in the '60s and '70s.

>> Mayor Adler: Okay, councilmember tovo puts in the direction that the council should be involved in whatever rfp or bidding process is associated with this on the back side of a successful election. Is there - is that okay? All right. That direction is included. Councilmember pool.

>> Pool: I just wanted to add one more thing to tack on to what councilmember Renteria just said about fiesta gardens. And that is that if we remove that maintenance facility from that site on that parkland, that will become parkland and public access and will expand the amount of public space for our residents right there on the river. And that's brilliant. And that -- I love that aspect of this.

[9:53:49 PM]

>> Mayor Adler: Okay. Councilmember alter.

>> Alter: So I thought it was the restoration and remediation of the maintenance yard, not getting rid of the maintenance yard. Okay. Did we change -- of the land, okay. Thank you.

>> Mayor Adler: All right. Let take a vote. Those in favor of this with all the direction and changes please raise your hand? Those opposed? Looking like everybody voted in favor of this. So it passes unanimously. That gets us to one last item on our agenda, no? Back to zoning case 146. Mayor pro tem, how do you want to proceed?

>> Harper-madison: I'm sorry. I see your waving hand.

>> Mayor Adler: I was asking you mayor pro tem, how you want to proceed.

>> Harper-madison: Right, I heard you but I saw a waving hand.

[9:54:49 PM]

Are you acknowledging me?

>> Harper-madison: Do you want to talk first?

>> Harper-madison: Yes, I would like very much to do so. What I would like to propose is that we approve staff recommendation not for all three readings. If we could do first reading only, but if we could defer to a site plan for the trail easement. And I don't know if Mr. Rusthoven wants to speak to that.

>> Mayor Adler: Jerry?

>> Mayor pro tem, I would have to defer to the legal department because it's a legal issue regarding the trail easement requirement.

>> Harper-madison: I understand. But if we could do first reading. If for no other rope that we could figure out that part, then I'd like to propose that -- I'm going to make the motion that we do first reading only.

>> Mayor Adler: Okay. Mayor pro tem moves that we adopt 46, staff recommendation, but only on first reading. I think she wants time to

[9:55:50 PM]

try to figure out what to do with the easement, which this will give her time.

>> Thank you.

>> Mayor Adler: Is it okay for us to change the motion that way? Any objection? Then that is the motion that is in front of us. We ready to take a vote?

>> Kitchen: Mayor, I had a comment I wanted to make? I wanted to just explain that I too as others have commented am very disturbed about situations that occur and actions that are taken that break valid petitions. I don't think that's appropriate. I think it changes the rules in the middle of the game and I don't think it's appropriate and it disturbs me greatly. So I'm not going to be able to support this today.

>> Harper-madison: Councilmember kitchen, much like you and some of my other colleagues have expressed, I really do

[9:56:50 PM]

appreciate that, but I cannot get past the fact that we are in a true blue housing crisis. And if we can get affordability in housing, I do appreciate very much your concerns and that of my other colleagues, but if you would offer me the opportunity for us to get through first reading, I promise you I will try my best to alleviate your concerns.

>> Mayor Adler: Motion and second. Councilmember Fuentes, go ahead.

>> Fuentes: Yeah, I just want to say I'm very also disturbed, troubled by the tactics that were laid out tonight. And I had come in and -- I am going to vote in support on first reading because I do believe that we need more affordable housing. And this is a 100% affordable development, and at 60% mfi, which I

[9:57:51 PM]

appreciate. And so I will be voting in support, but again just got to reiterate that the invalidation of signatures is extremely disturbing and not what we want to see in our community. Thank you.

>> Harper-madison: And I appreciate that very much, I do. I just -- guys, I have to tell you, we are struggling. We need housing. We need housing.

>> Mayor Adler: Councilmember Ellis.

>> Ellis: Thank you, mayor. I know in some of the feedback that we received on this particular project, there were references to debris and litter in buttermilk creekment and I know when I and my office did work about the clean creeks crew to get that group established, I just wanted to make a request that watershed protection go out there and try to do what they can to make sure that debris is cleaned up. We understand that it scored high on a litter index score data that we had done during that point in time. So I just want to put that

[9:58:53 PM]

on watershed's protection radar to take a look at that.

>> Mayor Adler: Okay.

>> Tovo: Mayor, I wanted to clarify there were a couple of different conversations and I wanted to make sure that we are taking this up on first reading, is that accurate?

>> Mayor Adler: Yes, first reading only. It's been moved and seconded, first reading only. Those in favor please raise your hand? Those -- let's see, I have the mayor pro tem, councilmember Ellis, councilmember Fuentes, councilmember Casar, myself and councilmember Renteria. That's six votes. Those opposed please raise your hand. Council members pool, alter and Kelly. Those abstaining? And councilmember kitchen also. Those abstaining? Kathie, I don't know that I got your vote. Voted no. So six-five, this passes on

[9:59:54 PM]

first reading. I think that's everything that we have on our agenda. Tuesday we have a budget session. We also have joint session with county starting at 9:00. And then we'll move into the budget plan. Councilmember alter?

>> Alter: I would like to ask the city manager and the mayor to see if we can have a special called meeting on Thursday. Obviously the covid situation is changing, that briefing is not going to be short. That is our only day to really dive into the budget before we start our budget deliberations. And even just for people to lay out what they already know they want to propose or that they want to ask for so that the city manager has clarity on stuff if he were to come back with another proposal

>> I think it would be valuable for us to have time. We're not able to do one our executive session items today which we need to do

[10:00:55 PM]

when we're bright eyed and bushy tailed. So I think that it would be useful to consider whether there would be an opportunity next week to have that time. We also may need to talk about ballot language. Begin -- continue that process moving forward. I don't know which days is the best, but it is unrealistic for us to do all of our budget on half a day and homelessness and covid.

>> Mayor Adler: Check with the office and see if it makes sense for us to post. I think if it's going to be on Thursday we have to post. Certainly Monday morning. So probably tomorrow. And the items to use put on that would be the budget, would the executive session items we didn't get to today. Potentially ballot measures if it's time for us to be able to talk ball ole language even if we're not deciding until the final week. And if anybody wanted anybody else, make sure you reached out to the manager's office to let him know. And with that, here at

[10:01:59 PM]

10:01, this meeting is adjourned.