

City Council Regular Meeting Transcript – 08/26/2021

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[10:08:04 am]

>> Mayor Adler: Call this meeting to order. This is the Austin city council meeting on Thursday, August 26th, 2021. It's a hybrid meeting held both remotely as well as in person. Our ability to do that with the emergency order granted by the governor expires at the end of the month, so next month's meeting will be conducted under the normal rules. Councilmember kitchen?

>> Kitchen: Yeah, mayor, I'd like the opportunity to talk through that. Maybe that's in executive session, I'm not sure. I think it's important for us to have an understanding of what our options are, both in terms of people testifying and for attendance, because I know that in the past we've had -- we've done at least under some circumstances -- allowed some

[10:09:06 am]

remote testimony as well as some remote participation. So I just think it's something that we all should talk about.

>> Mayor Adler: I agree. I've said that on the work session on Tuesday.

>> Kitchen: Excellent.

>> Mayor Adler: For us to not only talk about that issue, but the related issues -- how do we handle speakers.

>> Kitchen: Thank you.

>> Mayor Adler: How do we handle the order.

>> Kitchen: Okay.

>> Mayor Adler: So we have a chance to be able to do all of that. So --

>> Kitchen: Thank you.

>> Mayor Adler: I agree with you.

>> Kitchen: Okay. Thank you.

>> Mayor Adler: Continuing on here with the agenda, quorum present, colleagues, I'm going to read in the changes and corrections into the record. When we get to it, the Austin housing finance corporation, we're approving the meetings just of July 29th. And item number 2 is being withdrawn. We'll convene that meeting in a bit. We have item number 4 on the regular council meeting being postponed until September 30th.

[10:10:06 am]

Item number 13 being withdrawn. Item number 39 on August 19th, 2021, is recommended by the electric utility commission on a 7-0 vote, chair Hopkins and commissioner stone absent, two vacancies. Item 40 on the same day, from the commission, we had the same result. Same also with item 43. Item number 68, postponed until September 30th, 2021. Item 69 should be noted that on August 18th, 2021, codes and ordinances joint committee meeting was cancelled. August 24th, 2021, this was recommended by the planning commission on an 11-0 vote with commissioners flores and Shea absent. Item number 100 there has been a correction in that it relates to item 101. Item number 101, there's been a

[10:11:09 am]

correction to note that it relates to item 100. We have late backup in the Austin housing finance corporation, items 1 and 7. We'll convene that meeting here a little bit later. On our regular city council meeting we have late backup in items 9, 10, 54, 55, 56, 47, 5859, 60, 75, 79, 82, 90, 92, 97, 76, 77, 79, 80, 82, 83, 87, 94, and 109. Colleagues, we have a little over 20 speakers to speak this morning. So now they're going to get two minutes each to speak on the agenda.

[10:12:09 am]

And then we have a lot of speakers this afternoon, but they may have signed up to speak on items that are going to get postponed. We'll call those speakers close to 2:00 as we can. The consent agenda items today are items 1-63 and also 100 to 110. At this point we don't have any items that have been pulled. I posted an amendment on the board, a short six-word addition to item number 108. Councilmember tovo's not on the dais here. I don't know whether she's accept that amendment or not. If not, I will pull that item. And she's not on the dais for just a moment.

[10:13:10 am]

Does anybody have any questions or anything they want before we go and recognize speakers? Yes, councilmember alter.

>> Alter: Thank you. This is not on consent, but I requested executive session on item 111, which is annexation.

>> Mayor Adler: So noted.

>> Alter: Which relates to item number 4.

>> Mayor Adler: And council is prepared for that.

>> Alter: Great. Thank you.

>> Mayor Adler: We'll have that later. Councilmember pool?

>> Pool: Thanks, mayor. On item 9, which is the Rhine drive redevelopment project, I've said everything I've been wanting to say. I see that councilmember tovo says she will offer an amendment on bullet item 4 regarding profit sharing which relates to childcare. I support that addition of the childcare focus for that item number 4 on the profit sharing and I'm wondering if the amendment, mayor, that you are

[10:14:10 am]

offering for item 108 would make this -- would cover this instance even if we were not to add childcare into item number 9. So with the councilmember not on the dais, I flag that to say I'm not intending to pull 9 off of consent. It's great for the community in all instances and I'm thinking that with or without the amendment from councilmember tovo, if we are moving on 108, that might cover it. But I'm happy to view as friendly the amendment.

>> Mayor Adler: Okay.

>> Pool: Hopefully we won't have to pull this off. Thanks.

>> Mayor. I don't know if you can see me.

>> Mayor Adler: Yes, I can see you all. I just dropped my mic.

[10:15:12 am]

Councilmember Renteria.

>> Renteria: Yes. Mayor, I would like to pull item 12. I have some questions about that. I know the building has been being built for three years now, four.

>> Mayor Adler: Okay.

>> Renteria: About what the too in lieu is all about.

>> Mayor Adler: Okay. We'll go ahead and pull item number 12. Councilmember tovo, I had that amendment on item number 108. I don't know if you want to accept that, or if not I'll go ahead and pull that item?

>> Tovo: Pull it, please.

>> Mayor Adler: Okay. We'll pull 108, then.

>> Tovo: And I have some items to pull. I apologize I was off the dais. I'm not sure if these already have been pulled. Councilmember pool, I heard the tail end of what you're saying and I'm sorry, I haven't posted that amendment. But I will shoot it to you and -- or read it into the record on consent, but I'll send

[10:16:14 am]

it to you for your review first. Mayor, I would like to pull 18, 48, 28, 53 --

>> Mayor Adler: Hang on a second. 18, 28, 48.

>> Tovo: Did you catch 28? I'm sorry.

>> Mayor Adler: 18, 28, 48.

>> Tovo: 53.

>> Mayor Adler: 53.

>> Tovo: 101, and 102. And mayor, I would say I have several of these are Austin public health and they're really just pretty quick questions on all of them, so if we're able to lump the Austin public health ones together I think the questions are fairly similar for all of them.

>> Mayor Adler: Okay.

>> Tovo: And then I have a comment to make about another

[10:17:14 am]

item on the agenda. Thank you.

>> Mayor Adler: All right. So, with that, councilmember alter.

>> Alter: I just wanted to clarify, we haven't made a motion yet, but for number 9 we would be including councilmember pool's direction. Usually if it's on the message board we at least clarify it, so I just wanted to make sure we were.

>> Mayor Adler: It's my understanding that item number 9 comes incorporated on the consent agenda with the direction as posted by councilmember pool.

>> Pool: I believe it's in the backup as well.

>> Alter: I just wanted to make sure that we had it.

>> Mayor Adler: Always important to do. Thank you for doing that. All right. Let's go ahead and get the speakers and then we can come back and talk about the consent agenda more. We have one spanish-speaking speaker, so let's start there. Then we'll do the in-person speakers so that they can speak

[10:18:16 am]

and leave if they want to. And then the rest of the speakers remote. The last three will be the Austin finance corporation we have at the end. We'll take it at the end of speakers so that we can run that concurrently. And then as we -- just before we get to the speakers, we had the first one of our police officers to fall with covid. So I think it would be important for us to take a moment of silence for officer Boyd and for his wife, Erica, to know that she and her family are in our thoughts, as is the entire

[10:19:18 am]

force.

>> Mayor Adler: Thank you. Thank you, officer. Let's begin with speakers.

>> The first speaker is the interpreter on the line, Jacqueline?

>> Yes, ma'am.

>> Nolvía Castillo is the first speaker.

>> [Speaking Spanish]

>> [Speaking Spanish]

>> Before anything, good morning, everybody.

[10:20:19 am]

>> [Speaking Spanish]

>> I live in district 4.

>> [Speaking Spanish]

>> Today I'm here to support the 25th article.

>> [Speaking Spanish]

>> Do you hear me better now? [Speaking Spanish]

>> [Speaking Spanish]

>> Austin gave me the chance to work to give out produce, vegetables.

>> [Speaking Spanish]

>> To the residents of north and

[10:21:21 am]

south Austin.

>> [Speaking Spanish]

>> To have the opportunity to be able to support the residents that were needing it the most.

>> [Speaking Spanish]

>> And work with the young ones who are working on leadership for the program.

>> [Speaking Spanish]

>> Of urban roots.

>> [Speaking Spanish]

>> I also want to share a story of a mother, Sara.

>> [Speaking Spanish]

>> Resident of the 78744.

>> [Speaking Spanish]

[10:22:21 am]

>> And she's lived in dove springs for over 13 years.

>> [Speaking Spanish]

>> And her kids and the two oldest kids participate in urban roots.

>> [Speaking Spanish]

>> She also supports article 25.

>> [Speaking Spanish]

>> She shares that since her kids have participated in the program --

>> [Speaking Spanish]

>> Her kids have been able to do something positive during this time.

>> [Speaking Spanish]

>> The discipline and the leadership of the young ones in the program --

>> [Speaking Spanish]

[10:23:23 am]

>> The discipline in the young ones is very important to doing something productive.

>> [Speaking Spanish]

>> It makes my heart very happy to see the young ones doing something productive and at the same time, helping the community.

>> [Speaking Spanish]

>> Because they are putting their mind on something good, helping others.

>> [Speaking Spanish]

>> They're not on the streets loitering, doing drugs or alcohol. And that's very important. [Buzzer sounding]

>> [Speaking Spanish]

>> And I ask you to please continue to give the support to work with these young ones that

[10:24:24 am]

are really the new leaders.

>> Thank you. Your time is up.

>> [Speaking Spanish]

>> Gracias.

>> Thank you.

>> Mayor Adler: So, I think now we'll go to the speakers that are here in person and call them up. Is David Anderson here? Come on down, sir. And on deck is Leanne Shadon.

>> Mr. Mayor, Dave Anderson, just here to answer questions when that item comes up, so we don't need to speak this morning.

>> Mayor Adler: Okay.

[10:25:31 am]

>> Mayor Adler: Is Leon here, Shadon? Is it the same thing, you don't need to speak now? Thank you. Is Connor Kenny here? Come on down.

>> Hi. Good morning, councilmembers. Connor can capital aid housing, lead planning consultant on 3423, Rhine drive. We built this proposal from the ground up in response to the community engagement led by councilmember pool. The working group, the surveys, and a desire for both a big park and housing. It seemed impossible, but we are delighted that we were able to actually bring both and be talking about a 4.7-acre park as well as hundreds of housing units. So thank you, councilmember pool, for your leadership and being ambitious in achieving

[10:26:32 am]

those goals and making sure those requirements were in the minimum requirements for the rfp. We were able to bring something very special. Councilmembers Renteria, we're proud of the nonprofit subsidized affordability childcare center built into this proposal. We're really excited about that. And finally, I wanted to emphasize, we have other people from the team here to talk about this, but a lot of the extreme benefits are going to be subsidized. We are proposing through an increase in some of the value of some adjacent land via tod amendment. That has to be a separate process, a lot of community engagement, council initiation. But we won't really be able to know what we can do with the entire master plan community until we go through that process. So whatever we can do -- and we can't talk yet to facilitate kicking that process off so they can maybe run in parallel, get these folks parks sooner, build

[10:27:33 am]

housing units sooner. We could save months and months if we can get that one started sooner rather than later. So any clarity that y'all could have with staff on that process I think could facilitate this project just getting done a lot sooner. That's all. And we have other team members here and I'll be here for questions. Thank you.

>> Mayor Adler: Thank you. Ben barland? Come on down. And Megan lash is on deck.

>> Good morning, Mr. Mayor, councilmembers. My name is Ben and I and my brother are the head of 3423 holdings, that received the staff approval for the Rhine drive property. We are really proud to bring

[10:28:35 am]

this to your -- to you for approval, including all of the housing we have, daycare, we have a wellness center, we are arts studios, acres and of new park land, low-income housing for families and continuum of care units. We're especially excited about the potential to add the properties that we own that sandwich the Austin energy lot to build a master plan community of over ten acres. And we would like to push that the original council motion included the ability to accept secondary proposal to do just what we just talked about -- include the adjoining lots to build a much better proposal for the community. And we really urge you to direct staff to start the negotiation

[10:29:36 am]

to include that secondary proposal. And what does that bring to us? It brings us an extra 1.5 acres of additional parkland to 4.7 acres which is almost the size of the city-owned property to date, another \$4 million we're going to kick in to build out the park and contract with our Austin parks foundation to do a community-led process to build that park up. We are going to do all of the maintenance and operations funding for the park. We're also going to dedicate a new community center that's going to be the size of the arts center north we will donate to the Austin creative alliance in there. On top of that we have support services for family elder care. So we really appreciate your time and look forward to that. We really would like you to make sure that you consider the secondary proposal to staff because

that's where really the most benefits are. I'd like to thank the leadership

[10:30:37 am]

of councilmember pool who has had this vision for many, many years and has been steadfast to it. And I appreciate her leadership on this effort. Thank you very much.

>> Mayor, I have a question.

>> Mayor Adler: Go ahead.

>> Tovo: Thank you, thanks very much, Mr. Barland. And can you give us some sense of on those surrounding tracks, if it becomes one larger proposal, would there be additional affordable housing that you're contemplating on those as joining tracts as well?

>> No, because there is a tract to the north. That will be turned -- we are donating that to the city as park land. That is completely park land. The lot on the north is how we pay for everything else by getting a change in the T.O.T. And adding a little height, still 400 feet away from the closest housing on Lamar boulevard. We think this proposal stands

[10:31:38 am]

alone. I mean, it is a massive number of units, as well as at least 10% continuum of care units. So we are really committed to doing something special on that site.

>> Tovo: On the Rhine track.

>> Yes.

>> Tovo: Thank you.

>> Mayor Adler: Thank you. All right. The next speaker? And Steven nap is on deck.

>> Good morning council, Megan lash, president of industries representing development as well. We will be the lead developer for the housing component of this proposal. I wanted to first say thank you for putting together this opportunity. We think that it's just a phenomenal redevelopment opportunity in the city of Austin. It's a piece of property I've tracked for the past ten years during my career, so very excited to be part of this team. I wanted to just say a quick note on looking at councilmember pool's motion on the option B, which is specifically in

[10:32:39 am]

reference to the different types of financing that we would use for the housing component. If that is something that staff and council desire us to pursue, it includes an option that we'd need to move

quickly in order to compete in the cycle. I request that if we do want to pursue that line of financing for the housing, we would need to kind of look very quickly towards the January cycle. And also wanted to note the C.O.C. Units we would be providing are independent of either financing option A or B. So that's something that we're looking forward to helping the city of Austin solve regardless to which financing option is ultimately chosen between staff and council. Again, excited about this opportunity to be a part of this great redevelopment effort in the city of Austin. Thank you.

>> Casar: Mayor.

>> Mayor Adler: Councilmember Casar.

>> Casar: I just wanted to welcome you back to the council chamber. I didn't expect to see you so

[10:33:41 am]

soon. I wanted to congratulate you on your growing family. You guys are always excited for new austinians here.

>> Thank you.

>> Casar: Thank you for your presentation and for your work with the barlands on this project.

>> Yes. We've been hard at work, despite the fact we've been not here at council in the epidemic, we've been working on getting more affordable housing, so, thank you.

>> Casar: Thank you.

>> Mayor Adler: Come on down.

>> Good morning. Thank you, mayor and council, my name is Steven. I'm a resident of St. John's circle, the street that adjoins this site. I wanted to share my excitement as a neighbor and to councilmember pool. I'm sorry about the excitement of the rest of my neighbors. We have been watching this project for so many years. They've been asked what they can do. I said email councilmember pool and let her know we are ready to

[10:34:41 am]

see this happen. I take full responsibility for several emails you've been getting from excitement. I just want to let you guys and council know overall this process, this is why we're so excited about it. I first met with Peter barland in early 2015. He offered to meet with some neighborhood leaders to talk about overall plans as he was acquiring these parcels. And that was seven years ago. And he saw there was a potential for a large redevelopment that served not just our community's needs but provided housing and other services to those of us who either are living in central Austin or want to remain able to live in central Austin. Of course hardly anyone could have guess that seven years ago the process would take

this long, but we are so excited to see where we are today. Personally, where my excitement comes from not just as a neighbor, but in 2016 I joined the community advisory committee for project connect. We were advising cap metro and the transportation department.

[10:35:41 am]

It has been so clear how crucial the node is at crestview station for transit and housing, and everything our community can be, just so livable, right there in that one node. I see the proposal presented by the barland team as pretty much the perfect combination of redeveloping a site to provide a place to live and work alongside a major transit node. I hope this site and process serves as a model for other redevelopments around transit in the years to come. I do hope you hear within my excitement and the excitement of some of my neighbors, we have seen what can happen in this site. [Buzzer sounding]

>> I hope if you take the recommendation, we can engage in master planning for this entire track. Thank you so much for your time.

>> Mayor Adler: Thank you.

>> Tovo: Mayor, while the next speaker is coming up, it does seem like a long time since it started back in 2013, but it was an even longer amount of time before that that this idea first

[10:36:42 am]

surfaced in one of the city documents. And I think that was -- councilmember pool and I were trying to trace it back. It was at least 2008 that Heather suggested it in the families and children task force report, but I think it was something that long ago, the affordable housing task force suggested. So it has been a super long time coming, but it's very, very exciting for it to finally be moving forward. Thanks for your work on it.

>> Mayor Adler: Okay. The other two speakers that had signed up on the other matter, if council has any questions, you'll get called up at this point when it comes to council to be considered. There's an executive session that's been requested, so it will probably happen after lunch, would be my guess. Those are the speakers that have come here in person. We're now going to move to the speakers that are on the phone.

[10:37:45 am]

>> Tovo: Which one did you say the executive session has been requested on?

>> Mayor Adler: Did I have that wrong?

>> Tovo: No --

>> Mayor Adler: 111.

>> Tovo: Thank you.

>> Mayor Adler: Which is not the item that you guys had signed up for. 69. Thank you. I was looking at the list incorrectly. But 69 does not come up until later. It's a nonconsent item. Let's go ahead and hear the speakers on the phone.

>> The first speaker is Aaron Trudy.

>> Hi. Thank you, councilmembers and mayor for your time. My name is Erin, a resident of St. John's circle. My home backs up to the Ryan drive project that you all are discussing. And since we purchased our home nearly nine years ago, we've watched as these warehouses have progressed to be underutilized

[10:38:47 am]

and overgrown. I'm here to say my family and I are excited about the proposal to give purpose to the Austin energy and neighboring parcels. Over the past year, my neighbors and I have met with the team as they work to create this proposal. I love how the proposal offers connectivity to current and future transit, brings affordable housing to central Austin and provides spaces for community benefit. The thoughtful multiuse proposal is exciting for my community. I ask today you not only support the city staff's recommendation for this proposal but also that you ask the city staff to begin the site planning with the adjacent parcel, one of which is behind my home, that the developer owns. For us neighbors, we want to see this entire area master planned and we developed at the same time, not piecemeal and lacking cohesion or with further delay. I ask that you negotiate prioritizing the developer's offer to build a connection to midtown commons and the crestview station and connect it to a paved bike and pedestrian path along the perimeter, which

[10:39:49 am]

will allow for safe passage through the area while it's under construction. Many thanks from myself, my family and neighbors to the city staff for bringing this recommendation. Thank you so much for your time.

>> Ann Patterson.

>> Good morning, mayor and council, my name is Ann, I'm speaking on item 9, the Ryan drive. Some of you know me from the music commission, but I'm speaking as vice president of the crestview neighborhood association. I working group is a team which produced the data-driven recommendations report in 2018, which in turn shaped the essential framework for the Ryan drive site rfp. On behalf of the group I would like to express gratitude to councilmember pool and her staff for their tireless support of this group's work. The team's active participation in this project for the last

[10:40:49 am]

3 1/2 years has included community engagement, working with staff to write the council resolution calling for the rfp, collaborating with hard-working staff and consultants to clarify the community vision and carefully reviewing public information packages to provide informed input on sheet presented in work session earlier this week. The working group members have expertise in urban planning, park planning, community outreach, civil engineering and affordable housing, and a deep commitment to the Ryan drive site serving as the model for development of city of owned land. We look forward to continuing to be a part of this process in a community advisory role for the team and the city on multiple aspects including the park, housing, and community benefits. We thank the councilmembers and council staff for their support of the Ryan drive site redevelopment and at this critical moment in the project, sincerely ask council offices and city staff to review updates with care and diligence to ensure that the development meets the city and community

[10:41:50 am]

vision for deeply affordable housing, effective transit access, community and creative space and amenity-rich parkland. We are so excited about this coming about and we thank you so much for your service.

>> Patricia zoak.

>> Thank you, councilmembers, and mayor, for your time. My name is Patricia and I live on Ryan drive. My family and I live at one of the handful of houses that sits directly next to the properties under consideration for development. For decades these properties have been an opportunity in waiting for Austin. I'm here today to express my strong support for the proposal to develop the Ryan drive site and the surrounding parcels of land. This proposal will bring much-needed affordable housing and community services to central Austin, provide new spaces for community engagement,

[10:42:51 am]

and create an important expanded site for mass transit within central Austin. My support for the proposal is echoed by my neighbors on Ryan drive and St. John's circle, the two streets that lie closest to the site. I ask today you support the city staff's recommendation for the proposal and ask the city staff to begin planning for the parcels of land that are most adjacent to the Ryan drive site. Development of these additional parcels of land are essential elements of the proposal for our neighborhood and the thoughtful, holistic approach to planning all parcels of land at the same time as a single development site is essential to the success of the project as a whole. I thank you for your time and consideration. And I thank the city staff for the recommendation.

>> John kohp.

>> Good morning, mayor and city council, thanks for the hearing me today. I'm here to also support the

[10:43:52 am]

3423 holdings project and ask that not only the city council go forward with city staff's recommendation of this proposal, but also to detail a few things that are not expressly articulated within the proposal to happen with that development. One, like a few of my neighbors I'd like to see this all planned as one combined unit as opposed to three separate tracts in the T.O.D., the park, and the Austin energy lot. Also, I would love to see a paved track that goes from Ryan drive to crestview so that nonmotorized traffic, pedestrians and bicycles are able to safely navigate to the train station and get around without having to go up Lamar. I would love to see an at-grade crossing at the crestview station from the new proposed property development so that we don't have to, you know, continue around basically four blocks to get to the station when we could get there right

[10:44:52 am]

across the park. I appreciate your time and I yield the rest of mine.

>> Amy flandinbaum.

>> Good morning, councilmembers and mayor, thank you for your time. My name is Amy. I live on St. John's circle. My house backs up to the -- some of the underutilized and overgrown warehouses that are in discussion here and I am also here to express my support for the 3423 holdings development. I remember moving to crestview in 2013 and there was excitement about what could be done with that space. And through discussions and conversations with the developer over the years, that vision has

[10:45:54 am]

grown and we're very excited about the affordable housing and the access to the crestview station that it brings. Like my neighbors, I am here to support the city staff's recommendation for the proposal. I'd like to ask the city staff to begin the site planning for the adjacent parcels that the developer owns. I love -- I work in technology and believe in the power of a holistic solution. We would like to see the entire area master planned and not done in a piecemeal fashion. Finally, I'd like to ask that the city staff negotiate prioritizing the developer's offer to build a grade connection to midtown commons in the crestview station and connect it to a paved bike and pedestrian path along the perimeter, allowing for safe passage to the area while it's under construction for the upcoming years. Thank you for your time, and very excited about the opportunity that lies in front of us.

[10:46:55 am]

>> Paul saldaña.

>> Hi, good morning, mayor and council, my name is Paul, a leader and coordinator for the Austin Latino coalition speaking in support of item number 110 regarding the development of a comprehensive covid-19 booster shot strategy. For those who are not familiar with our coalition, our coalition was established

in 2013 as an alliance of Latino organizations and individuals to promote civic involvement and self-determination by Latinos in Austin. Our coalition includes 17 latino-serving organizations, 35 individual community leaders and a volunteer base of 1,000 people. For over the last 75 weeks our coalition has developed and implemented a variety of initiatives to specifically target our low-income/minority communities and zip codes on the eastern crescent. We've done bilingual culturally relevant prevention campaigns, psas, weekly community

[10:47:56 am]

discussions, regular ppe distribution, vaccination events, and such. We've served well over 53,000 families over the course of the last 75 weeks. As you all know this week in particular, 927 people in austin/travis county have died of covid. Our Latino community represents more than 50% of those deaths. We've lost 464 Latinos from our community. Early this week the statesman published an article entitled justice in my town, healthcare crisis, meeting people where they are, how understanding Austin's people is key to vaccine push. It documents the lived experiences of our brown and black communities during this pandemic and the work of our volunteer nonprofit organizations including our coalition, the del valle community coalition, the central Texas allied health and the African American harvest foundation. We strongly support item number 110 calling for the development of a comprehensive booster shot strategy, but we respectfully request that this plan adhere to the principle of distributive justice, meaning that the distribution of

[10:48:57 am]

benefits to individuals should be proportionate to the burdens that they bear. Treating our latino/minority communities with dignity and respect, offering organized compassion and free vaccine opportunities is quintessential to the principles of distributive justice. Early this week --

>> Speaker, your time has expired.

>> May I finish my sentence? Hello, can I finish my sentence?

>> Mayor Adler: You can finish the sentence, but real fast, please.

>> Thank you, thank you. I just want to say, earlier this week you took a look at the sort the short comings, mayor pro tem said, I was disappointed in the response. This is me extending an apology on behalf of this body. This is an opportunity for us to do some active listening.

>> Mayor Adler: Thank you very much.

>> Thank you.

[10:49:57 am]

>> Angela Garza.

>> Hello, mayor, mayor pro tem, and city leaders. This is Angela Garza, co-chair of [inaudible] Speaking on item number 97. First of all, we would really love y'all to speak about, we get our three minutes of time back to speak. People really have to coordinate their time when they go to work. And we really need those three-minute moments back. We also need back that we can actually dedicate our time to the person who is most competent on the matter and can speak the most on the matter. Based on these changes, we make changes in the community so we can share responsibilities in Austin, Texas, and east Austin so that we can have the most competent person on the matter to speak on the matter.

[10:50:58 am]

In this case, this would have been Ms. Alexandria Anderson. I made an attempt to transfer my minutes to her. This is not working for our working people that we cannot do that in Austin, Texas. This also is not working that we don't have the full three minutes that we need to go ahead and speak on behalf of these situations. So Alexandria Anderson, to speak on behalf of the naacp, they have gone above -- super hard-working organization to protect the preservation of an actual site that's really important to the area in the development process. So, please, please consider having this discussion so that we can be fair to the people that have done so much work on the ground and given the appropriate time that they need and the minutes they need to go to the person

[10:52:01 am]

who needs to speak on our behalf for the matter. Thank you, and have a great day.

>> Richard settles.

>> Hello, council, this Richard and I meant to be there this person today, but out of an abundance of caution I took a home covid test last night and came back positive, so I figured I'd stay away. Asymptomatic, so that's what's scary. But I'm here as a resource witness for number 111. I understand councilmember alter has asked for executive session on that. And I would just ask if you have any questions when you come out of executive session that I be able to try to answer them. The piece in question meets all environmental regs, water quality regs, participating in the bccp, has an agreement with the neighborhood, and essentially complies with all

[10:53:04 am]

city of Austin in-city regs. Issue that is different from in-city is of the 64 or 65 heritage trees, 5 of them will be removed. I'll be happy to answer any questions now or after you have executive session. Thank you.

>> Tovo: Mayor, I do have a question for Mr. Settle. Mr. Suttle, thank you for sharing the message you did, thank you for staying away, but also hope that you continue to stay healthy and thank you for reminding all of us that covid can be -- people can be asymptomatic and still have a positive, so thanks for that message. With regard to the case, I think I heard you say that it complies with all current

code. Is it complying -- you may have referenced this when you talked about the number of heritage

[10:54:04 am]

trees -- is it complying with our current heritage tree ordinance?

>> It does, but that's a complicated question. The site plan was filed in December when part of this track was in the city and part of it was out. Because in the etj there is no tree ordinance, we complied to the extent we could. But again, there were four heritage trees of the 65 that come out. But because it was filed under etj regs it did comply.

>> Tovo: So it does not -- if I'm understanding --

>> Hope I answered your question.

>> Tovo: It does not comply with current city code, to summarize, with regard to the heritage tree ordinance. You're saying it complies with the code that was in place before it was annexed because there is no heritage tree ordinance in the county.

>> That's correct. If we were to file the site plan

[10:55:05 am]

today we would be asking for permission to take the four heritage tree out of 65 out.

>> Tovo: Okay. Does it comply with other city -- other current city codes at this time?

>> Yes.

>> Tovo: But it does not comply with the heritage tree ordinance. Current.

>> It does comply because -- but if we filed a new site plan today, we would be asking for permission to take out the four trees.

>> Tovo: Okay. Because the site plan that was filed earlier does not comply with current -- with the current -- you and I are both saying the same thing, but we're saying it differently. You see it as in compliance because the site plan was filed when you weren't required to comply, a portion of the tract was not required to comply with the heritage tree ordinance because it wasn't in the city limits. If it were to be filed now it would not be in compliance.

[10:56:07 am]

And so your proposal is to remove four of the how many trees, 64 or 65?

>> Yes.

>> Tovo: Sorry, was it 64 or 65?

>> I'm going to say 65. I'm looking at my piece of paper here, 65.

>> Tovo: Is it the intent to --

>> Said another way, you would comply because you would ask to take out the four and probably receive permission to do it. The only other way to have done it would have been to take out the whole 65 and file a site plan, but that's not what this guy wanted to do.

>> Tovo: So I have a question for staff when we get to it about that element, but my last question for you, I guess, is what other options has your owner contemplated for those

[10:57:08 am]

trees? Has he or she explored transplanting them on the site, or other kinds of options? That would be a conversation if the site -- we may disagree about the site plan issue, but under your assumption that it was not required to do so before.

>> I think -- remember, this is a track that it started out as an ser conversation. My client was buying the property at the time and his seller would not allow him to allow it to be annexed. So he decided that because his site plan was in such close compliance, and you and I will disagree that it's not in complete compliance if the four trees come out, that he was willing to go ahead and close on the property because it is in

[10:58:09 am]

substantial compliance except for those four trees. He would be willing to have a conversation about either mitigation for those trees or potential transplant. However, the trees that came out, some of them were not in good health and were not good candidates for transplant. But if that becomes an important point, he would be happy to have the discussion. I say that only though, he would be willing to have the conversation if we could go in a timely manner, because he has to have his site plan approved before the bird season starts and this is the issue that's holding up that conversation.

>> Tovo: When

>> Tovo: When does bird season start?

>> I believe it March.

>> Tovo: All right.

>> He has to be underway by March.

>> Tovo: Thank you very much.

>> And one more thing unrelated to the case, just so everybody knows, I've been fully vaccinated since

[10:59:09 am]

February and still apparently have a break-through. And I am very careful with masks and social distancing. So as a public service announcement, I'll reiterate what you said, councilmember tovo, everybody needs to be damn careful.

>> Tovo: Yeah, that is a really important message and I know I speak for my colleagues in wishing you continued good health and thanks again for sharing that message. It a really important one.

>> Mayor Adler: And real quick -- hang on a second, Richard. There are more questions. I would say, um, in relation to the last thing that you said again, yes, thank you for staying away. That's what people should do when they get a positive test when they're feeling anything or not or when they know they've had a close encounter with someone ha has the virus because it can be spread asymptotically. And it doesn't prevent someone from getting the virus. We know that a certain percentage will, but it's

[11:00:10 am]

good to know that you've gotten it and it's asymptomatic or really mild that's that's really what the vaccine does. 90% of the people in our hospitals and icus are people who have not been vaccinated, and the overwhelming of the majority that has gotten vaccinated is only contributing to 10% of the people who end up in that place. And I think that's one of the big lessons to be learned as Mr. Suttle's experience is pointing out is that these vaccines really do help. Councilmember alter.

>> Alter: Thank you, Mr. Suttle for sharing your experience and sharing the word to get tested and wear the masks and get vaccinated. I wish you a speedy recovery. I had a question I'd like to better understand the switch in approach from seeking an

[11:01:15 am]

ser to annexation. Can you speak to that a little bit more?

>> Sure. We started out with the ser process because the seller of the property would not allow us to ask for or have it be annexed. Our seller really doesn't like the city of Austin and didn't want to be in the city. So we were kind of stuck. My client decided that he was okay with being in the city and that he would gandy close on the property at risk knowing that he figured the city would want to be -- want to annex it and he was in such close compliance with all five out of -- let's see. Five out of the 65 trees and full compliance with the water quality and environmental regs. So he just decided to buy it, ask for annexation and extinguish the need to ask for the ser.

[11:02:16 am]

>> Alter: Thank you. It's also true that watershed protection was not recommending that we grant the ser because they were environmental features and it was not an appropriate place for intense active development, is that correct?

>> That is correct. They were going above and beyond what is required in the water quality code and the setbacks and the ces. They were concerned about the salamanders. And another note, there are no known salamanders on this site. They were worried about the salamanders downstream. In other words, they were using the water -- the ser process to make the water quality ordinances more restrictive.

>> Alter: Perhaps there was a reason for that that went beyond the salamanders from what I read. It is at the head of bull creek, as I understand it.

[11:03:17 am]

Well, I will look forward to getting my questions answered in executive session and we'll continue the conversation later. I do think it's important -- Mr. Suttle, I haven't recognized you to speak, so thank you. I just think it's important for my colleagues to recognize that there was an ser that our watershed department chose to deny or recommend that we not proceed with for environmental reasons and it was not just salamanders. And I think that is relevant for our discussion of the annexation as we look forward. And I look forward to our discussion in executive session.

>> Mayor Adler: Okay. Anybody else have anything else? Let's go to the next speaker.

>> Monica Guzman.

>> Good morning. I'm Monica Guzman, policy director for gave, go

[11:04:19 am]

Austin, vamos Austin. The past year as amplified the inequities in early childcare in our community, underscoring the importance of substantial, transformative, ongoing investments in the early childhood system. Childcare also impact the economic stability of our community and the city's workforce. We know too how quality childcare strongly impacts children's school readiness and optimal development as future leaders in our city. Essential workers have never been more taxed and pressured as they have during the pandemic and even more so as the pandemic rages on and with Austin at stage 5. Those with children have the added stress of managing family along with the long hours and emotional toll of their professional duties. Having extended support for reliable childcare absolutely necessary. As Austin grows it is increasingly important that development considerations are given to increase access to quality childcare where it is most needed, requiring the city to work childcare

[11:05:19 am]

into redevelopment plans on city owned properties is a great next step. A powerful example is the St. Johns redevelopment project in north Austin where we know high quality childcare options available for that community are hugely lacking. We usually you to approve item 26 to extend workforce solutions funding for essential workers to receive childcare support and item 108 to ensure childcare is included in redevelopment planning. Thank you.

>> Mayor, that concludes the consent speakers, however we have two speakers for the ahfc if you would like to hear them.

>> Mayor Adler: Are those speakers also on the city or are they just ahfc.

>> Ahfc. Monica was for consent but I kept her on the line.

>> We're going to recess the Austin city council meeting

[11:06:19 am]

here at 1106 and we are going to convene here on August 26, 2021, the board meeting of the Austin housing finance corporation. We have a quorum of the board present. We're convening solely for the purpose of taking public speakers would you call the speakers to speak?

>> Monica Guzman. Monica, please unmute. We'll call her back.

[11:07:23 am]

Ana Aguirre.

>> Good morning and thank you president Adler and board members for your time. I'm the immediate past chair of the southeast combined neighborhood plan contact team. I am speaking on item 8 on the ahfc meeting. As the immediate past chair of the contact team I need to inform you that we vice-president been notified, much had the opportunity to review, vote or have a formal discussion on this case. Correspondence was submitted to the city requesting formal written notification by the city when housing tax credit applications are received. The request was to make sure that community engagement occurs prior to the city council or the Austin housing finance corporation board taking any action that will have impact on the 78744 community's quality of life. The city staff responded and informed us that they would review our request with staff and anticipated a response to us the week of August 16th. To date we still do not have a response. We have also requested that the equity office and office for displacement and prevention be included in

[11:08:23 am]

the city's review process for their independent reviews. We do support affordable housing. In our area we have multiple concerns. The major one being the ongoing efforts of proposing additional density of affordable housing in our dove springs area. This site constituents in a tract that is already identified as a racially and ethnically concentrated area of property. That poverty rate being 35%. This burden is challenging for us as we do not have the same equal access to resources to support vulnerable communities as other areas of the city. This has been demonstrated by the outcomes during the pandemic. Affordable housing should be made available in all parts activity which allows vulnerable residents access to much needed resources and services. We look forward to working with councilmember Fuentes's office on this and also hope to have the opportunity to be fully engaged in this process in its entirety. Thank you for your time and consideration and service to our community.

[11:09:24 am]

>> Mayor, I received a message from Monica Guzman that she's not going to speak. So all speakers have been heard.

>> Mayor Adler: Thank you for that then. All speakers have been heard. We're going to go ahead and recess the Austin housing finance corporation meeting and we'll bring it back later in the day. It is 11:09. So then again at 11:09 we'll reconvene the Austin city council meeting here on August 26th, 2021. Colleagues, again the consent agenda for items 1 through 63 and also 100 to 110. City attorney, do you want to read in on how we fill in the blank on item 16?

>>

>> Council, I'm here today to recommend that you approve a payment of \$150,000 to settle the Rivas

[11:10:25 am]

versus city of Austin lawsuit. This personal injury lawsuit is related to a car accident that occurred on #26th, 2018. Ms. Rivas was injured when she was rear-ended by a city of Austin fire department vehicle driven by a fire department employee. In exchange for this payment the city will obtain a full and final agreement from Ms. Rivas that releases the city and its employees from any claims that were or could have been asserted in a lawsuit. The law department recommends that you approve payment pursuant to these terms.

>> Mayor Adler: All right. The consent agenda will reflect that number being filled in the blank. Councilmember pool, are we pulling item number 9 for you to be able to read in the amendment?

>> Alter:

>> Alter: [Inaudible].

>> Mayor Adler: Do you want to just go ahead and read it in and it will stay on consent.

>> Alter: I do. I will be happy to move

[11:11:25 am]

approval attend provide the direction.

>> Mayor Adler: Okay. It's on the consent agenda. Do you want to read in your direction?

>> Alter: Sure. And then when we're done with the consent agenda there were some comments that I wanted to make. Can I make them now or would you rather me do them later?

>> Mayor Adler: Let's do them later as we all comment on the consent agenda. Let's see if we can move through.

>> Excuse me, mayor, the transcript is showing that I'm saying this and it's councilmember pool so I wanted to make sure that the transcript reflected these were her remarks and not mine.

>> Mayor Adler: Thank you.

>> Pool: I move the following direction for item 9. The city manager is directed to update the council on the progress of the exclusive negotiating agreement for the Ryan drive redevelopment project at an upcoming council work session. Additionally the city should attempt to secure the following elements in an exclusive negotiating agreement and update the council on the progress of

[11:12:26 am]

the negotiations. And if anybody wants to follow along this document is loaded up to the message board and I've handed it out with the friendly amendment from councilmember tovo can included. Number one, continue to position the Ryan drive working group report as the expression of the surrounding community's vision for the Ryan drive redevelopment. Number two, strive toward option B in the affordable housing portion, including gaining more permanent supportive housing, particularly for families with children and position the Ryan drive redevelopment as a model that helps achieve the city's goals for inclusive housing and makes progress on strategic housing blueprint targets. Number three, ensure tenant protections as currently contained within the city's rental housing requirements. Number four, allow for profit sharing for the city beyond a certain internal rate of return once costs are recovered. Any profits returned to the

[11:13:27 am]

city shall be used for a city and -- for city and community priorities such as operating subsidies for on-site or nearby affordable childcare facilities. Number five, coordinate transit access design with the city and other project connect partners to leverage impending redesigns of the north Lamar airport intersection that will facility the red and Orange rail lines brt and enhance the station at

crestview. Focus on a lease option rather than purchase on the Ryan drive site. Number seven, work towards a parks maintenance plan that establishes the role of the city, developer and non-profit partners maintaining the park and amenities in a sustainable way. Number eight, work to include in the exclusive negotiating agreement the partners who were listed in the initial proposal and outline the role of each.

[11:14:30 am]

Number nine, strive to achieve Leed gold rating or four star green building standards as possible while achieving other community benefits. Number 10, commit to multiple city and community engagement events and collaborate with the Ryan drive working group on a variety of issues pertaining to a master development agreement including a, strive for more family friendly housing units both market rate and restricted income for public schools and allow options for families in the central city. B, explore options for replacing parking space with other uses within community vision. C, determine creative site design options that could improve access to the property for the surrounding neighborhoods. D, work to make the studio and performance spaces for the creative community flexible and affordable.

[11:15:30 am]

E, ensure parkland accessibility for Ryan drive residents and the surrounding communities. And F, engage the Ryan drive working group to assist with community engagement activities and to guide the vision for the project. Thank you, mayor.

>> Mayor Adler: Thank you. That item stays on consent unless we're going to need to pull it. Councilmember tovo?

>> Tovo: I don't believe we will. I just have a quick question for councilmember pool. Councilmember pool, I think these are really good additions on the motion sheet. I think that your intent is similar to what we had with health south and with the Home Depot tract to make sure that -- to the St. Johns tract to make sure that our staff are coming back and briefing council on the progress towards these elements within the exclusive negotiating agreement so that it doesn't hit council without final approval without us having a sense. But there's no time frame associated with bullet

[11:16:30 am]

number two -- sorry, bullet number one. Are you able to adjust that so that we know clearly when that check-in will be? It says at an upcoming work session. Are you prepared to say maybe January or December?

>> Pool: I think that's a great idea, councilmember tovo, to have some specific timing. I will point you to the very first bullet where it says the city manager is directed to update the council on the progress of the exclusive negotiating agreement at an upcoming council work session. So we could amend that to say as information is -- as progress is made to keep us apprised.

>> Tovo: I guess it would be my request that you actually put a time frame on that so that we have a real predictable report back date and if staff need to request an extension or something they can do that. But I would request a

[11:17:32 am]

check-in by December.

>> Pool: I think that's fine. City manager, is that possible? Can we do that? Okay, great. So that would be a work session before the end of the year. Thank you so much. Thanks for that, councilmember tovo.

>> Mayor Adler: Okay. With no objection that will be part of the consent agenda item. Continuing on, the items I'm being showed pulled on the consent agenda are items 12, but I understand there's been an agreement to postpone that item to September 2nd that involves the applicant, also councilmember Renteria, I think that was good with you. Is that correct?

>> Renteria: Yes, mayor.

>> Mayor Adler: Okay. Item 12 will stay on the consent agenda, showing it

[11:18:33 am]

being postponed to September 2nd. So the items I'm showing being pulled are items 18, 28, 48, 53, 101, 102 and 108. I have some comments that I hope will be taken as direction by our staff. We have homelessness contracts, item number 21 and 31. And these are important contracts and there are several more next week that are starting to come to the council for extensions of -- as our staff works on developing performance-based contracts, which I think will be part of the upcoming competitive solicitation on these contract. As concerns the ones that impact people experiencing homelessness, and as we

[11:19:35 am]

extend these contracts, I think this is a real extent for our staff to magazine -- real opportunity for our staff to ensure that we're requiring the kind of data that is necessary for us to be able to measure and report on the great work that's being done as well as to identify ways that we can support that work and perhaps fill gaps or help people become more and more effective. There's a lot of work we are doing in a lot of areas to help with poverty and affordable housing in the city and we need to be continuing to do that work as well. But on these contracts that deal directly with people experiencing homelessness if we're trying to get 3,000 people off the streets in the next three years, we need to be able to really tell who is coming off the streets, how long they're staying off the streets and

[11:20:35 am]

who those people are and the like. So I would hope as part of the contract negotiations, manager, we get the fullest extent of the data that our homelessness strategy officer believes would be helpful. Okay, manager, thank you. Further comment on the consent agenda? Councilmember tovo.

>> Tovo: Mayor, I can put 18 back on. I did get some information from staff that answered as I understand, that is a long-term lease which I pulled because I want to look really carefully at the long-term leases we're entering into. But that is for the Austin revitalization -- with the Austin revitalization authority as our landlord. So I think -- I feel comfortable with the answers I received back with regard to that purpose. I do want to say on 25 -- and this is sort of a specific point about how this one was posted, but a more general request. So manager, this is a

[11:21:36 am]

contract extension with urban roots, which is a great organization, and it -- in the posting language, in the recommendation for action, it talks about past funding for this organization. It doesn't recognize the fact that urban roots is renting at nearly no cost, nearly any cost. Has either a very low cost or free rent on a city-owned parcel. So I would like to request that when we have organizations that might be receiving funding from different departments that we just recognize it all in that history of funding because as we know with upcoming budget years that are going to be really tight I think we need to be looking very carefully at how we're supporting different organizations and histories of funding and to do that we really need a comprehensive look each time they pop up on our agenda. So again I'm very supportive of urban roots, I'm supportive of them being on that tract and super glad we

[11:22:36 am]

didn't sell it when it and on our agenda. But when I look at a recommendation for action to extend additional funding to any organization, I really want to understand what the full history of that funding is and current funding, wherever that funding is being derived from. Thanks.

>> Mayor Adler: Okay. Councilmember Casar.

>> Casar: Thank you, mayor. There's a few items I want to speak to this morning. First we have our gun violence prevention contracts here before us today. I want to thank council members alters and Ellis and tovo for working together and I was proud to be a co-sponsor when we first brought forward budget amendments for the 2021 budget to bring gun violence prevention programs to our city. The ones before us today are focused on gun violence

[11:23:37 am]

prevention with our youth and I appreciate councilmember Renteria and the mayor pro tem joining with some of the council members, as I said earlier, to bring forward a resolution asking the city staff to accelerate bringing our gun violence prevention programs for young people to our community after 15-year-old Juan Carlos Cruz was shot and killed in my community just four months ago and the suspect in that case was also a young person who knew him and these aren't -- this isn't, of course, the only case

where tragically young people have been hurt this year. So with this vote I believe we can work -- move forward to reduce violence by working with our youth before they get in trouble or make a horrible choice. Gun violence is preventable and gun violence between young people is preventable, so my understanding from public health is that we'll be working with these organizations to go door to door and neighborhood to neighborhood and school to school to intervene with

[11:24:38 am]

young austinians and keep our neighborhoods safe. We also have the gun locks contract up today and I appreciate that being on our agenda. I appreciate the gun violence prevention strategy launched by our interim chief and we also have funding to have programs that are focused as well as on our adults but I appreciate that we will be able to move forward here to make our city, which remains one of the safest cities in the country, but to make our city even more safe. And I think this is a critical part of our strategy. Second, I want to thank the mayor and my colleagues for the resolution bringing refugees to Austin. Austin is slated to have more refugees from Afghanistan than any other city in the state. I think that's a good thing and it's moral and right and the humanitarian thing to do, but it's also a really good thing for us. I'm proud that my district has more refugees than anywhere else in the city and I've had the opportunity and the honor over the last

[11:25:39 am]

few years to work on a few cases where we've had to bring in translators or other refugees from Iraq and Afghanistan to my district who were in really dangerous situations and I would tell you that in each of those cases I felt like Austin was also getting a really great end of that deal. The heroism of these families, what they bring to our community, their work ethic and their families and the meals that I've gotten to enjoy when people are just so happy to call this city home, I think it makes us all better, and so I really appreciate this resolution, mayor. Third on Ryan drive, sorry, councilmember pool, my microphone wasn't working on Tuesday so I didn't get to join in the chorus of congratulations. It sounded like you were doing this with councilmember tovo but I also went and dug into my calendar and found a meeting with you in April of 2015 in the economic development hallway about Ryan drive. So as long as we've been

[11:26:40 am]

council members together I've been proud to watch your work and support it however I can. I want to vote for this not with just support, but also with -- to make the point that I believe that this project in and of itself is already very good. I think what is brought forward to us today. But I appreciate that the applicants have shown that they can make it even better. That might require some city dollars, that might require some changes in the way that we have things laid out in a city and I'm ready to support that alongside you. It's the same thing with the St. John tract where we have what is already a good project, but we could bring dollars forward to make it really great on our city-owned land. In this case being also on the rail lines I think it's a great candidate for the anti-displacement dollars that we have so we can keep neighbors in place and bring neighbors back and be on that transit line. That seems to me to be a very logical and great place to bring forward additional

[11:27:40 am]

dollars if necessary, but congratulations. And then my last point here is on vaccine requirements, just given the news, a moment of privilege, mayor. I disagreed with the governor's order saying that we couldn't ask for vaccines for our employees but he said it was because the vaccine wasn't fully authorized by the fda. And even though I disagree with that because if it's the vaccine that I get and you got and he got, that it should be good enough for everyone. But clearly it wasn't about that now that yesterday he has changed the order to say it doesn't matter if it was fully fda approved. So it clearly was never about that. And that's really frustrating and I want to air that frustration because too many public employees have gotten sick or even died in our city and across our state and I think it's really important and I want to go on the record here next to the manager that I would be very supportive of whatever it is we can do to

[11:28:41 am]

require or get all of our staff vaccinated because we are ultimately responsible for trying to take care of our staff and the people that they serve in the public.

>> Mayor Adler: Further comments on the consent agenda? Councilmember Kelly?

>> Kelly: Thank you. Before we vote on the consent agenda, I'd like to abstain from item 22 and I'd like to vote no on 23, 47, 72, 104 and 106.

>> Mayor Adler: Okay. Let's gandy get a motion. Is there a motion to approve the consent? Councilmember pool makes the motion. Seconded by councilmember tovo. Please for the record note the abstentions and the no votes that councilmember Kelly just read into the record. Further comments on the consent agenda? Councilmember Fuentes. And then I see the two hands raised on my screen as well.

>> Fuentes: Thanks, mayor. Also on today's consent agenda we have an item that calls for the creation of a

[11:29:42 am]

booster shot strategy in our eithers to combat the virus. I shared earlier this week that president Biden announced that they will be rolling out the booster shots starting September 20th, the week of September 20th, which as we know is about four weeks away. So we have a month to plan in how we meet this moment. And part of the item 110 calls for us to take some time to build on lessons learned from the initial vaccine rollout. It also roots it in equity and to ensure that we do not see disparities in access and that is very important that we continue our equitable efforts and that we really learn from our previous efforts in both the successes and also the shortfall. It also calls for a robust education campaign. This is extremely important, especially to our Latino community. You know, it took nearly eight months to get a Latino psa out and so what I would

[11:30:43 am]

like to see is a dedicated and conference certificated effort to educate our community about the importance of getting the vaccine and also the science about why a third shot would be required. Of note I do want to say that this resolution also calls for us not to lose sight. That we still have about 250,000 austinities who are not yet vaccinated so we have to continue to have dedicated efforts to get more austinities vaccinated as well as have a plan for a community with the booster shot. We have to ensure that no stone is left unturned. And with that, I do want to thank our team who worked on this, Christian with my office was instrumental in drafting this policy. I also want to thank my co-sponsors, mayor Adler, council members Casar, kitchen and alter. And thank you to our Austin public health department who we've been working with. And I know that they are committed in our efforts in helping us ensure that we have a plan, one that is

[11:31:45 am]

transparent, one that we as a council can be briefed on in a work session on September 28th. And I would loose like to ensure that our community -- I would also like to ensure that our community is in the process of the booster shot effort and that we support that work. And I want to support the resolution in welcoming the African refugees. I stand in support of this effort and want to extend my welcome, gratitude to these refugees and to share that me and my team, we stand ready to help in any way that we can. And lastly, I wanted to also share my gratitude to alcohol for her leadership with the Ryan drive redevelopment. It's been pretty incredible to see all the work that you've done to bring that forward and just wanted to give my thanks. Thank you.

>> Mayor Adler: Thank you.

[11:32:47 am]

Councilmember alter.

>> Alter: Thank you. I too want to add my congratulations to councilmember pool and her staff and all the folks who worked on the Ryan drive project. I think it's a wonderful demonstration of the potential that's there in these projects if we have enough creativity and ability and I look forward to seeing that evolution as we move through the process. I want to echo some of the things that councilmember Casar mentioned. I'm really delighted to see us continue to take steps to advance the work of the task force on gun violence by approving items 102, 103 and 104. These come out of the office of violence prevention in the fiscal year '21 budget process which I led on, and since then our Austin public health staff have been working tirelessly to help advance these investments. I want to thank Adrian, Laura and our new program

[11:33:47 am]

Michelle miles and Kimberly Caldwell, who is the latest number of the opt team. Their hard work to get

the investments out the door deserves our thanks and recognition. With these steps we will continue our efforts to end the scourge of gun violence in our opportunity with the tools we have available and taking a public health approach to this pandemic of gun violence. Finally, I want to be noted as abstaining on items 18 and 20. I have to express my frustration with why we continue to pursue leases of this nature other than to pursue ownership as a long-term effort to serve this need. I asked several questions in the q&a and they did not resolve my concerns. If anything they exacerbated my concern. So I'm not going to support these two items today. We will be having a discussion of the leasing versus owning process at the October ahfc meeting so I would like to ask my colleagues to join that conversation at that time.

[11:34:47 am]

And I want to refer folks back to a study that we, our staff did and a man that we have to move to ownership from leasing that will save us tens of millions of dollars and allow us to move funding from our general fund o&m to debt financing and really be a key element of the tools that we have to address the fiscal constraints that we have under the tax rate cap situation, but we need to be moving on it and the more of these leases that we sign the farther we get from those goals and from achieving those savings. It's really not in the long-term fiscal health for the city. So I will abstain on 18 and 20. And I believe 48 was pulled, is that correct?

>> Mayor Adler: 48 was pulled, yes.

>> Alter: Okay. I'll save my comments for then.

>> Mayor Adler: Councilmember kitchen.

>> Kitchen: I just want to

[11:35:48 am]

add my comments. Thank you, mayor, for your comments on I believe it's item number 31 in particular, with regard to our contracts with the organizations who serve our individuals experiencing homelessness. I agree with those comments and thank you for making those. I also wanted to reiterate that we are moving towards -- actually, we have in place and intend to move towards an even greater -- with greater accountability and clarity measuring performance and measuring results with data that we can track on how we are -- how effective our approaches are to helping individuals experiencing homelessness to find permanent housing and to end the cycle of homelessness. So I want to reiterate that important for the public to hear and to understand that this is a top priority for

[11:36:49 am]

our staff and a top priority for our social service and health organizations to move to where we can be even more effective and more specific, more accountable with data so that we can demonstrate and

show the public in a transparent way the progress that is being made in our community. So thank you, mayor, for mentioning that and I think it's important to reiterate that for the public.

>> Mayor Adler: Thank you. Councilmember kitchen, you've long been a champion on making sure that we get that and for these efforts. Thank you for that. Councilmember Ellis. Councilmember Ellis.

>> Ellis: It cut out. I wanted to make sure I was hearing things correctly. There are a lot of good things on this agenda today and I very much appreciate it that things are moving

[11:37:50 am]

forward in regards to firearms safety. I was really happy to see an item welcoming Afghanistan fuse into our city -- refugees into our city. I think that's an important value that we share here in Austin. And I really was impressed with councilmember Renteria's ifc about sharing supplies that we are able to share with our sister city in saltillo, I think that's a smart and creative thing to be doing to help our brothers and sisters in saltillo. And I want to congratulate councilmember pool on the Ryan drive work that she's done. My mic was also not working on Tuesday. But it's really exciting to see good things happening in a place close to so much transit. I'm definitely supportive of trying to make sure as many folks as possible can utilize that transit and live in such a great area and I will be looking forward to seeing the bike and pedestrian connectivity because I know that was something that councilmember pool's constituents had mentioned this morning and I

[11:38:50 am]

think it's really important when we have opportunities like this to make sure that we're keeping our eye on the bike and pedestrian accessibility front as well. So there's a lot of good things I look forward to supporting on this agenda. That was just a few of them.

>> Mayor Adler: Okay. Colleagues, real fast, again, lots of good things on this agenda. Councilmember pool, congratulations, a long time in having this. A lot of work, a lot of people involved. Kind of looks like the way these projects are supposed to look and happen, so thank you for that. I am proud to be part of a council that I hope will approve item 109, which is the Afghan refugee. To the refugees I say welcome home. There's quite the humanitarian crisis that's existing right now in that country. As we were beginning our council meeting I heard that there was a major explosion outside of the airport. I haven't heard any more

[11:39:51 am]

details on that, but it just doubles down on the humanitarian issue. Austin has always led in recognizing that one of the strengths of our country has been the diversity of people and ideas and cultures that mix together to make who we are us. So it's important that these folks come. I appreciate that they are screened and health screened and we reached out to Austin public health to make sure they all have the opportunity to be vaccinated if they're not otherwise, but we're going to welcome them with open arms and open doors and I appreciate the refugee organizations at the state and local I will that have

built quite the infrastructure for that and their assistance in helping to make the transition one that is as wonderful as possible. Also glad to see items 102,

[11:40:52 am]

103, and also 104, just the violence pre-vex issues. I appreciate these items. I appreciate all the efforts being made. I appreciate the chief's efforts with taking legal guns off the street and that push. I appreciate the white house inviting Austin being one of 15 cities to join that cohort to push community violence intervention and I hope, manager, that we're able to take advantage of that participation and get the dollars from those other grant programs that we have, having been invited from the white house to participate let's see if we can get some real tangible results from that. And also proud to be asked to be a sponsor, councilmember Fuentes, of the vaccine booster issue. Real important. Councilmember Casar, I join with you in the calls to make sure that at the first

[11:41:52 am]

available opportunity when it fits it looks like that we're doing everything that we can to make sure that our employees here in the city, our public employees and employees across the city are taking fullest advantage of the protections that are available. And the -- look the at our employees and putting in some kind of incentives or requirements for people to get tested or vaccinated, wearing masks is under consideration at this point. Talking to other folks in other cities and counties, both here and in other parts of the state. And again, I do appreciate the parents that have jumped out to lead that battle in their school districts. And my hope is that that school districts will be able to make the case to the supreme court. Ultimately that the local protections are just something that just need to

[11:42:52 am]

happen in a crisis like this. But I do like, councilmember Fuentes, looking at the experience we had last time as we rolled out vaccinations and learning from that, there were two challenges. One, we got it out to lots of people and our vaccination rate here in our city is among the highest in Texas. That said, we now get another chance to do some of that same work and an emphasis on equity and tiggig out how we get it on the communities hardest to reach it important. That ties to I think the second issue, which was the frustration that many people felt as we laid it out last time. We were working with new computer programs and new systems that were stood up fairly quickly and dealing with great loads. And I would remind people that when the booster comes out it will be -- there will

[11:43:53 am]

be lots of opportunities to get the booster at our partner facilities, the drug stores, the grocery stores. And my hope, manager is we look at that and we have a city-wide responsibility, but hopefully the city can be the safety net provider and really focus on that responsibility which is going to depend to a degree on lots of people in the community choosing to get their vaccines in systems that are not necessarily the safety net providers. So I encourage everybody who is looking for their eight month mark to go get their booster. If they can to avail themselves of the opportunities to really free the runaway for

the city to really focus on those things that really only the public does. And then finally on this topic I would just note that the bat fest was canceled

[11:44:53 am]

for this weekend, and I'm heartbroken over that, an important festival in our city. I hope it just gets postponed and delayed and honor something that is incredibly unique and special about our city that we need to keep top of mind. I want everybody in the community to understand that there were two reasons that that was postponed by the Austin public health authority. One was the transmission of a virus that comes when people gather, but as I read the comments it looks to me that the real precipitating event, the real precipitating cause of the cancellation of an event was just the fact that our emergency rooms are full and that EMS is taxed. And in this city it's going to be really hard for us to have big events because when you have big events it increases the number of people who get in accidents or get heat issues and EMS

[11:45:57 am]

is called. There are just more people. And that's important to note because the voice not to get vaccinated which is leading to the number of people in our emergency rooms, in our ICU, is now having an impact on the events we can have and not have in our community. And I think that's important for everyone to see and everybody to note that the choices we make individually have impacts that go well beyond the impact on each of us individually. Sorry to have talked for so long. Those are all my comments. Councilmember Tovo.

>> Tovo: One last thing, mayor. I very rarely add myself as a co-sponsor from the dais on an item that already has five sponsors. I show my support by voting in the affirmative for those items. But I would like to be added to your item welcoming the

[11:47:01 am]

refugees from the war in Afghanistan. I think it's really just in this case critically important that our new residents, our new neighbors, our new friends feel that strong support from the entire council. So I would like to be added as a co-sponsor on that item.

>> Mayor Adler: Very pleased to have your name added. Very pleased to have the notes. Yes, councilmember Pool.

>> Pool: I would like to add my name as well to the Afghan refugees welcome resolution.

>> Mayor Adler: Great. Thank you for that. Any other comments? Council member?

>> Kelly: May I add myself to that as well, please.

>> Mayor Adler: Absolutely. Thank you very much for that. Councilmember Ellis.

>> Ellis: I would also like to be added as a co-sponsor to that item.

>> Mayor Adler: Thank you councilmember Renteria.

>> Renteria: Yes, mayor, and I agree with -- and really support all that we're doing today. I'm real grateful for the help that I have gotten and

[11:48:09 am]

the support for doing some materials that were going to expire at saltillo and it's going to help a lot of people there in our sister city. And I also want to congratulate councilmember pool. I went on-- in 2003 on a tour to support a rail system here in Austin, but I went on a tour and saw all the different development that was going on through this country, including Florida and Miami area, Cleveland. So I got to see a lot of what was going on and how people were and the development going on along the rail lines. And when we got here and lucky for us in 2004 the voters approved the red line, which there was a lot of criticism back then about

[11:49:11 am]

the red line. And we went ahead and worked the campaign and got it -- convinced the voters to pass it and I want to thank the voters of Austin, but you can see now what this line has created and from lakeline and they would never have happened if we had never purchased this line. These are the kind of projects that we've seen mixed use, mixed income, mixed race all living together in a hub area where it provides public transportation where people do not have to get in vehicles which will help us in global warming and the urban sprawl that we were really concerned about back in the early 2000s. So I really want to thank folks for taking advantage

[11:50:12 am]

of this. I think this is one of the opportunities that once we focus on getting the blue and Orange line going that there will be a lot of people and I hope that this is a model that the developers will work with us and to make sure that we can provide opportunity for all people. Thank you.

>> Mayor Adler: Thank you. Councilmember Casar.

>> Casar:

>> Mayor, we don't usually fix the transcript. I appreciate putting councilmember pool's name in front of those words and then I also noticed that in your comments I think the transcript said that we all support the chief's program and you said to get illegal guns off the street. I think it said legal in the transcript and because of the recent pen chant to take your comments out of context I wanted to mention that as well.

>> Mayor Adler: Great. Because if I didn't say it I meant illegal guns.

>> Casar: No, you said it

[11:51:13 am]

correctly as well.

>> Mayor Adler: Good. Thank you for that. I'm having little clips of what I say show up in different places now so I appreciate that. Anybody else have any other comments? Councilmember pool. Do you want to comment on number 9? Anything else?

>> Pool: Sure. I just want to add that there have been a lot of appreciations about the crestview neighborhood work and the Ryan drive Justin lane development and I just wanted to note that the community's vision for this area reaches way, way back to probably before the 21st century, but certainly many leaders in our community who are to be commended for their far seeing vision for the area, even as far back as -- I was looking at 2005, including the last at large council. And specifically councilmember tovo whose

[11:52:13 am]

work in 2008 with aisd's families and children task force mentions this area. Also with council member Morrison, her and councilmember tovo's conversations with area residents sparked good discussions during the 2014 council race that I first ran in. And then that formed the basis for and my commitment to pursuing the vision for this area, which included specifically building the consensus in the neighborhood around what this project would mean for all of those in the area, which is crestview, crestview station and highland neighbors. It's really an expansive vision and I'm grateful for the residents who gave it their all, for the city staff who came together for their because there was a lot of work behind the scenes as well to make this lift. I know we're all really excited to see what happens next. So I thank you all for the

[11:53:14 am]

outpouring of appreciation and support and I direct it back right on to the shoulders of the neighbors who really came together and made this project possible. Thanks so much.

>> Mayor Adler: All right, colleagues, let's take a vote on the consent agenda. The consent agenda is items 1 through 63 and also 100 through 110. The numbers that have been -- the items that have been pulled and are not part of the consent agenda are items 28, 48, -- 28, 48, 53. Also 101, 102 and 108. We have some votes and abstentions that are in the record. Any comments before we take the vote? Councilmember tovo.

>> Tovo: Mayor, my apologies. When I put 18 back on I meant to also pull for a quick question 22 and also

[11:54:16 am]

54.

>> Mayor Adler: All right. Let's add 22 and 54. All right. It's been moved and seconded. The consent agenda, those in favor please raise your hand? Those opposed? It's unanimous with the mayor pro tem off the dais. Colleagues, it is six minutes until noon. We have at noon a citizen communication speaker we're going to call. And then I would anticipate us taking a break. Handle the executive session item. And then we'll take a break for lunch. Depending on how long executive session takes it will tell us when we come back from lunch, at 2:00 we'll take the zoning speakers or as close to that as we can. We'll take about an hour for lunch if we can get out of executive session by 12:30 maybe we can get back at 1:30 and handle a couple of items before we have speakers at 2:00. But let's see.

[11:55:16 am]

Do we have any pulled items that we think could go quickly? Councilmember tovo?

>> Tovo: Yes, mayor, I have a couple of quick ones. I think all of mine are relatively quick and maybe we could knock out 48 and 54. 54 is -- yeah. 48 and 54 would be my request. 48 is a contract with the film society, and part of it is being funded through regular budget, as I recall, and then part of it through arpa. And I asked a question of the staff why it was being funded through the American rescue plan dollars and was told that it's -- it's for workforce training. And wondered if staff can just provide a little bit more information about what this is exactly and what we've done in the past.

[11:56:16 am]

What we've done in the past and what is contemplated. So if we can get a couple of line explanation of what this work is contemplated.

>> Mayor Adler: Is staff available on items 48 and 54?

>> Tovo: And then I'll say for 54 this looks like a traditional kind of bond sale but I'm not understanding the connection from the backup to the hotel occupancy tax. It has something to do with hotel occupancy tax and I'm just not following what that link is.

>> Mayor Adler: Okay.

>> Alter: Mayor, I think rondella is on but I don't think you can hear her. I spoke with them this morning. I think she needs to unmute.

>> Mayor Adler: Can you unmute, please.

>> Good morning. Can you hear me?

>> Mayor Adler: Yes, we can now, thank you.

>> Thank you. Good morning, mayor and council. Rondella Hawkins, telecommunications and regulatory affairs officer.

[11:57:18 am]

And just in response to your question, councilmember tovo, we issued a solicitation for management of our long-standing public access TV facility and the channels and the media production services. And given our workforce plan and the economic recovery resiliency framework, we used this opportunity to leverage existing assets and funding. And working with multiple departments and particularly with economic development we revamped the scope of work to add a focus on workforce development training to economically disadvantaged individuals for occupations related to our creative sector. And that complements or fundamental historical programming, equipment and facilities which are -- have been always available to anyone who wants to learn video production. And so we received a proposal from the film society that responded to partnering with workforce solutions among some other

[11:58:21 am]

organizations to incorporate some short-term occupational training and certification training, different pathways. So it was very responsive and we thought this was a good opportunity to leverage a long-standing city program and funding. The funding is split. The funding -- we've had in a general fund for this program a long-standing \$475,000 in annual contract funds. And then the contractor does fund-raising and they match some of the city's funds. But this was an opportunity -- again, working with economic development department to identify some art funding to make up for the short gap, the \$400,000 in our funding for the first -- art funding for the first year of the contract to help jumpstart, initiate this new component, this workforce development component.

[11:59:21 am]

>> Tovo: So rondella, the workforce component is new and it sounds like a very thoughtful, useful program. The 475 is ongoing, but what exactly are -- is this supplementing our atxn work? I'm still like not clear on what that ongoing work -- it sounds like it's an ongoing contract,

[12:00:43 pm]

but I'm not -- I'm just not sure what that contract has exactly done with regard to our public TV.

>> To answer your question, so atxn is our government access channel funded by the city, staffed by city employees and our public access TV facility is -- we've got three public access TV chambers, a city access public studio facility. There's state-of-the-art video production equipment. There's training and that is content that is created by individuals and organizations and aired on these public

access channels. So it's more of a community based programming, it's no community members and non-profits to use.

>> Tovo: Thanks for that clarification. Thank you. I was conflating two things. Thank you very much for that clarification.

>> Mayor Adler: Are you okay putting this item back on the consent? Okay. Councilmember alter.

>> Alter: Thank you. I think we already voted on consent so we will probably need a motion. I was actually going to speak to this on consent. I had an opportunity to talk with rondella earlier this morning and I think this is a great program and a great example of how we can leverage some things that we're already doing and asked the workforce development component with some supplemental funding from arpa or other sources to really be able to deliver workforce training where we need it. In this case it's through the creative sector and so I think this is a really interesting and innovative way to invest some of our arpa dollars, our workforce dollars, to expand opportunities in the creative sector and meet a worse need in our community. So I really appreciate this item and I want to also just point out that there were a couple of items on the agenda, 26 as well, where we used cares funding where I think it would be great if

[12:01:44 pm]

when we're having those items if the city manager can make sure that we have some greater clarity on how these pieces are fitting together and what's supplemental and which pot of money things are coming from. This is an example of a great program which could easily have been missed and not highlighted as part of our council agenda. So I just wanted to ask if we could pay a little bit more attention to that moving forward. And then finally, I'll move approval of this item.

>> Mayor Adler: Okay. Councilmember Kelly. Hang on, we'll come back to you to do that. Councilmember Kelly.

>> Kelly: Thank you. I've actually had the privilege of being able to take classes at Austin public studios to do film editing and to actually work on some of the shows that we have that are brought forward by the community. So there's incredible value here. I'm really pleased to see that they are going to be providing workforce training to help individuals kind of break into this type of industry. I think that's a great thing

[12:02:45 pm]

to do. And fun fact that I came up with or learned through the process is that Austin actually has one of the longest running public access channels in the United States, which gives people in the community that ability to broadcast their own shows and TV programming, which is just really neat for the community to have. So thank you.

>> Mayor Adler: Cool. Councilmember alter, do you want to move passage of item number 48?

>> Alter: Yes, please.

>> Mayor Adler: Is there a second to that motion? Councilmember Kelly seconds that motion. Any discussion? Let's take a vote. Those in favor of item 48 please raise your hand. Those opposed? I'm showing it unanimous with the mayor pro tem off the dais. We're now past noon so we're going to hold and do the speaker. I think there's just one. Then we'll do -- then we'll do executive session and see when we can come back. The one speaker that we have

[12:03:45 pm]

with us for citizens communication today is Paul Robbins. Mr. Robbins, you have three minutes.

>> May I take my mask off to give the speech?

>> Mayor Adler: For people who can't see it, you are multiples of six feet away from anybody next to you. Why don't you go ahead.

>> Council, you are probably aware that Texas gas service -- you are probably aware that the largest gas companies in Texas have filed a \$3.6 billion request to recoup funding from additional fuel costs incurred during the February crisis. \$290 million has been requested from the state

[12:04:49 pm]

company for Texas gas service. The current benchmark estimate is that this will cost \$61 a year in additional costs per residential customer for 10 consecutive years, total of \$610. Add this to the already outrageous rate increases that occur year after year. This is occurring because Texas gas service did not have a secure supply and had to buy on the spot market at up to 132 times the normal cost. And meanwhile the parent company of Texas gas service, one o'clock, made about four billion dollars last year. Why isn't Austin trying to find a plaintiff's attorney to sue the pirates who profited from one of the

[12:05:56 pm]

Texas history, and has the city's regulatory office investigated this option? On another gas-related issue, you will shortly hear this fall, you will hear a three -- I'm sorry. Let me start again. This fall you will hear a three-year gas conservation tariff. Every year Austin residential ratepayers are charged seven dollars a year for conservation programs that do not even save enough money to pay for themselves. This does not help the ratepayer or the environment. I tried during testimony in 2018 to gather information, but Texas gas service refused to provide a lot of it. And the city's regulatory

[12:06:59 pm]

office did nothing to compel the company to do so. I am an Austin residential ratepayer and I have the legal right to gather information to present to council this fall. [Buzzer]. I end with -- [buzzer]. I end

with the hope that the city's regulatory office will start acting like a consumer advocate instead of a hostage negotiator. Thank you.

>> Mayor Adler: Thank you. All right, colleagues. It is 12:07. We're now going to go into closed session to take up one item number. Pursuant to 551.071 of the government code, city council will discuss legal issues related to item 11, which is to -- 111, which is to conduct a public hearing and approve an ordinance for

[12:08:01 pm]

the full purpose annexion of 25 acres of land. Without objection, we will go into executive session and consistent with our discussions before, we'll all retire to our offices if we're here live so that we can participate in this executive session remotely. I think that worked best for everyone logistically. So here at 12:08, we'll go into executive session and we'll be back I would imagine sometime between 1:30 and 2:00. If we can take up some pulled items before we take up speakers at 2:00. If not we'll take up speakers as close to 2:00 as we can. See you in executive session in five minutes. If if [executive session].

[2:05:24 pm]

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[2:14:02 pm]

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>> Mayor Adler: All right. It is 2:13 here on August 26th, 2021. We're now out of closed congestion. In closed session -- closed session we discussed items related to item 111. In our meeting we're going to ask for speakers. Before we begin with speakers, Jerry, would you -- is Jerry here?

>> I'm here, mayor.

>> Mayor Adler: Okay. Jerry, would you tell us what cases are being postponed? This is not your call of the cases. We'll do that in a second, but just so that people on the phonewhat you anticipate being postponed.

>> Sure, mayor, I'll read the proposed postponements and I'll include some cases so some cases can hear the speaker number. Items we have for postponement and these would all be postponed to

[2:15:03 pm]

September 13th with one exception that I will read in. The first one that we have proposed is number 78, which is the Johnny Morris restrictive covenant. Item number 81, this is the case in which we have the most speakers on today, this is for the case at 11705 research boulevard. Item number 87, this is

the case on polaris avenue. Item 88, this is the case on Springdale road. Item 92 for the case at 2700 north Lamar. Item number 93, this is for the case in the 8400 block of south first street. Item number 74 is for the case on Toomey road. Item number 96, which is for property on east highway 71, that one is proposed for September 2nd as opposed to September 3rd.

>> Mayor Adler:

[2:16:03 pm]

September 30th?

>> September 2nd. That one will be in as September 2nd.

>> Mayor Adler: And the other ones are being postponed to one?

>> September 30th. Item number 96, the next one for postponement would be item number 98, which is for the property on Anderson creek on east Anderson lane. And we do, mayor, have one discussion postponement, that is item number 97, which is for the 12th and Springdale residences. There is a neighborhood postponement on that but applicant is in opposition to that.

>> Mayor Adler: Okay. So the ones we anticipate being postponed is 78, 81, 87, 88, 92, 93, 94, 96, 98, a discussion on 97. And most of the speakers are here signed up on which one?

>> Item number 81.

>> Mayor Adler: 81. And that one is anticipated to be postponed until September 30th.

>> That is correct.

>> Mayor Adler: Okay.

[2:17:04 pm]

That said, colleagues, we have --

>> Harper-madison: Mayor?

>> Mayor Adler: Yes, mayor pro tem.

>> Harper-madison: I would like to pull item number 78, please. We'll go ahead and make sure that that one gets pulled. That one is being postponed to the 30th and you want to pull it? Okay. 78 will be pulled. All right, colleagues, we have folks both in-person and virtual. We're going to start with again the people that are speaking here in-person. There's a group of people that have signed up to speak, but are just really here to answer questions. Those would be people on 77, on 81, on 84, 85, on 89, on

[2:18:09 pm]

90, on 91, and on 97 -- and 112. That are here only wishing to speak if they get called by a council member. So let's again with the people that are in-person. And give them a chance to speak if they want to. Is Kristin Haney here? You have two minutes. Go ahead.

>> To be clear, 89, 90 -- sorry, here to speak on two agenda items today. Am I speaking on 89/90 today, which is the fair market project? Sorry, I'm not clear which one is fair market and which one is centro east. I believe 89/90 is fair market.

>> Mayor Adler: You can speak on both of them now.

>> Well, I need two minutes on each. They're separate --

>> Mayor Adler: You have

[2:19:11 pm]

two minutes, go ahead and use it however you would like.

>> Thank you. I'm going to start with fair market. My name is Kristin, chair of the east Austin neighborhood team. The thing I want to drive home with y'all today about this project is that the regulating plan for the plaza saltillo tod is very, very clear. It says that in order for a property to pay a fee-in-lieu of meeting the affordability standards of the plan they must demonstrate a compelling reason to not provide housing on-site. Let me say that again, they must demonstrate a compelling reason to not provide housing on-site. Now, we've been talking about this project since last fall and the applicant has yet to articulate any compelling reason not to provide affordable on-site. This alone should make your decision to oppose this very, very easy. But let's talk about what they've offered. In exchange for an additional 25 feet of height, which is to say an

[2:20:11 pm]

additional 75,000 income-producing square feet, fair market offers to pay the required fee-in-lieu and develop a park in the adjacent right-of-way or not develop the park, pay the required fee-in-lieu, plus an additional six dollars per square foot and bonus fees. So let's talk about the park. The applicant was a partner with the adjacent Corazon and knows that numerous permitting and economic challenges were faced when they tried to develop the park in the right-of-way at that time. The applicant has not proven that those obstacles can be overcome to build a public park that's been pitched. Additionally former professionals involved in the project have suggested the cost to be roughly \$1.5 million or more to complete. So let's talk about the additional fee of six dollars per square foot. That's roughly \$450,000 or half the -- more than half the value estimated for the park. That additional fee money legally go into the housing trust fund, a private

[2:21:12 pm]

agreement regarding how those fees get administered cannot be regulated by the city. And it seems that the burden -- [buzzer] -- Of responsibility for finding a source to allocate those funds falls on the shoulders of the volunteers of the neighborhood association. The fair market offer is not acceptable. The project does not provide a compelling reason for not providing affordable housing on-site and we urge you to vote against it.

>> Mayor Adler: Thank you. We'll go to next speaker now.

>> Sorry, I just want to be clear that I have separate comments on centro east and you will have time for those.

>> Mayor Adler: You will have to have a council member that calls you up to speak at that point.

>> Tovo: I'm trying to understand that, mayor. It's a separate item, no.

>> Mayor Adler: It is a separate item, but the rules we've been following is giving people a certain amount of time to speak. You can certainly ask her to speak on that now if you would like too and that would be a way to hear that.

>> Can I second that? I would like to hear her thoughts.

>> Mayor Adler: Doesn't

[2:22:13 pm]

need a second. Just one person to do that.

>> Tovo: If you could explain to me your neighborhood association's position or your individual position on the separate issue.

>> Thank you, I appreciate it. And it's a separate issue. It's a similar ask. This one is also asking for 85 feet in the tod. This one came with actually providing affordable housing and we thought we were coming to council actually in agreement with this project. What we have uncovered over the last couple of days as we have reviewed the restrictive covenant language, the legal language, is we had a misunderstanding. The neighborhood understood that we were agreeing to a zoning height change that was going to result in a building that was 90 feet tall maximum on the fifth street side of the property. The property has a significant slope so when the applicant was asking for 85 feet, what we have since discovered even though there were no dimensions on the drawings, but because I have a little bit of an

[2:23:14 pm]

architectural background, I'm dangerous enough to be able to start measuring things and so to see that at 85 feet I believe we found that the building yesterday would be about 73 feet on the sixth street side and 93 feet on the fifth street side. We only realized that yesterday. So when we were having conversations about an agreement -- and I have language from the attorney representing the applicant -- that seemed to be in alignment with our agreement that suggested that it would be 90 feet on the southern side, we assumed that that was the highest the building would ever be. It was not clear to us that even at 85 feet of height we were already dealing with a building that was 95 feet tall on the fifth street side. So there was a miscommunication, there was a phone call to me from the attorney asking me to put this language into our letter of support. Admittedly I'm a layperson, I'm not an attorney. I did not understand at that time that that language did not meet the agreement that

[2:24:14 pm]

the neighborhood understood that they were agreeing to. So I think we need more time to work this out with applicant. I think everybody has been acting in good faith and attempting to put their best foot forward, but nevertheless, we have -- we are not in agreement at this time. Thank you.

>> Tovo: I appreciate that. Thank you. Thanks for that info.

>> Mayor Adler: Next speaker -- [buzzer] -- David Anderson.

>> Mayor, mayor pro tem, council members, city manager, Dave Anderson here representing the owner of the property. I'm just here to answer questions on item 77. So if that item comes up and you have questions, I'll be right here.

>> Mayor Adler: All right, thank you. Kevin Brooke. I also had Keith Buchanan. I don't know if Keith Buchanan wants to speak.

[2:25:15 pm]

He had said he's just here to answer questions. U he's in the same boat as I am, sir.

>> Mayor Adler: Kevin Brooke. I understand that Amanda Swor is here to answer questions on 81 if anyone wanted to ask them. What about Brad Naples? Cindy Kunkel? Come on down.

>> Hi. I didn't really have a lot of questions other than basically for the staff who was making changes to the conditional overlay. On this particular item 81.

[2:26:16 pm]

The staff added six additional uses to that in our district 6. It's a 3M, 183 Duval road and it's supposed to be zoning and it's been changed to -- postponed until September 30th?

>> Mayor Adler: Yes, postponed.

>> So at that time will we be able to talk to staff or find out why the staff is recommending the changes in the conditional overlay?

>> Mayor Adler: You have between now and then to reach out to staff to try and answer questions and certainly your council office could do that. At the meeting itself you get recognized to speak directly to the council.

>> Okay, thank you.

>> Mayor, if I may, my office held a town hall regarding that change and it was on Monday. We can get you a link to the recording of it where city staff lays out everything if you would like to see that. If you would email my office our email address is

[2:27:19 pm]

distribution6@ austintexas.gov. -- District6 @ austintexas.gov.

>> Mayor Adler: Brad maples. Cindy Kunkel we just had. Joe Martinez. I have Rodney Bennett who is here to answer questions if needed on 84 and 85. I have will marsh here to answer questions if needed on 89. Dennis Mcdaniel, here to answer questions on 89. Kristin Haney, do you want to come and speak? If you want to. Oh, you already spoke.

>> I already covered it, thank you, mayor.

>> Mayor Adler: Got you. I got you on here twice,

[2:28:21 pm]

thank you. Will marsh is here to answer questions on 90 if anybody wanted that. As is Dennis -- who we already have had. Jen weaver, do you wish to speak? Okay, thank you. Amanda Swor is here to answer questions on 91 if anybody wanted that. Fred Mcghee.

>> Hello, good afternoon, counselors. My name is Fred Mcghee. I'm here to speak on item number 97. It's a delight to see that not too much has changed since my last appearance at this podium two years ago regarding the montopolis Negro school in rosewood courts and my appointment to the community development

[2:29:21 pm]

commission. What I'm here to relate to you today is that you should reject the applicant's request for item number 97. I think you will have people on the phone from the mlk neighborhood who will also ask you to do so. I'm not an expert on the city's zoning politics. I sent you something this morning, a resolution by the board of the Bethany cemetery association stating their support of a valid zoning

petition. I came into this process late, relatively new, but I'll tell you what I am an expert on, and that is African-American historic preservation and heritage conservation. As the first African-American to earn a ph.d in archeology from the university of Texas. What I'm here to tell you is that while the applicant is not required to do some of the things he has done, they did them wrong.

[2:30:21 pm]

I communicated this to you in an email when this item was up for first reading. And I urge you to take that into consideration. This has been done wrong from the word go and the staff has manipulated the process to frustrate the ability of the mlk neighborhood to influence the process. If you support this developer, you will be engaging in an injustice, and I will say that for the city's lawyers, for the city's law firm, these people have a pretty cavalier sense of justice for lawyers. This is pretty bad here. Frustrating the neighborhood's ability to exercise their valid petition rights. By terms of archeology that's an important thing to discuss, and if you have any questions I'm happy to answer them in what I think would be in keeping with what should be done and that would be with the proper standards.

>> Mayor Adler: Thank you, sir.

[2:31:21 pm]

What about Cheryl Thompson? Ms. Thompson, come on down.

>> Good afternoon, council, the mayor and the mayor pro tem especially. I am here representing the Coronado hills creekside neighborhood association. I was here about a month ago and we are here again on the same issue. The property that is being considered for this affordable housing, we're not against affordable housing, golly, that's not what this is about. That particular property is just too small for what they want to do. And so what I'm here to do is to continue to point out that it is important that as a council that you all take into consideration what is your job, which is to discern when there is an issue that, grant you, staff may have recommended it just on paperwork, but you have

[2:32:21 pm]

to look at it and realize is this safe for our area? I do want to acknowledge all of the council members who did in fact last time vote the five that you all voted in terms of against it because of the I call them low down dirty tactics, but I realize that they are loopholes in the system, but nonetheless, I am against the fact that they did try what they did. Just as one of the things I want to continue to say is that the property is not a safe zone for children to walk to where they want to go in terms of even getting to the bus, the capital metro. It has very low mobility and connectivity. We've brought that to your attention. It's just not safe. Your information is in your documentation along with the flash drive. I do want to let you know that the property owner has -- the planner has willingly -- not willingly, has his arm twisted and he

[2:33:22 pm]

has said I'm going to change the boundaries back to where it was before! So we realized that, but that is only because his arm was twisted. And so I'm just saying that we are here to say just like the residents of the collapsed -- [buzzer] -- property in surfside who continue to warn the people, the officials, this is not safe, guys, this is not safe. At what cost is affordable housing? Is affordable housing worth our children? Our grandchildren? Really? Really? Are we at that level? Please, I Flor you, this is not the place. Let's find another place.

>> Mayor Adler: Thank you.

>> Someone else said they wished they had affordable housing. The project is actually a good project, we just need to find another place for it.

>> Mayor Adler: Thank you. I think you had asked to sign up on item number 98 and that is one of the items being postponed today. I also have Amanda moreau here to speak on item 112 if

[2:34:23 pm]

we needed that. Those are all the people that I have signed up to speak in person. Anyone I missed? Why don't you go ahead and call the people that are calling in.

>> Harper-madison: Mayor, my hand is raised. Can you see me?

>> Mayor Adler: No, go ahead, mayor pro tem.

>> Harper-madison: I wanted to be clear that I pulled item 78. So I don't think it's clear to say this is one of the reasons that we're postponing today.

>> Mayor Adler: I had her signed up on 98.

>> Harper-madison: I thought you said 78. My apologies.

>> Mayor Adler: Go ahead and call the people on the phone, please.

>> Christine Lemp.

>> Hi, this is Christine Lemp. I was here to talk about item number 81, but it's my understanding that that will be postponed.

>> Mayor Adler: Correct, until September 30th.

>> Thank you.

>> Mayor Adler: Thank you.

[2:35:25 pm]

>> Tressie Damron.

>> Thank you, council members. I'm here to speak regarding number 86 if this is the correct time to do so. I am in support of the project. I am president of the castle heights neighborhood association, and based upon a private restrictive covenant that we have with the developer, they worked that out to the best for the neighborhood and for them, and we are just here to support that project at this time.

>> Malcolm Yates.

>> This is Malcolm Yates. I am the chair of the

[2:36:27 pm]

montopolis combined neighborhood team -- the roc team proposed to oppose the developer at the meeting on September 15th, 2020. The neighborhood submitted a valid petition opposing the original developer proposal. The roc contact team has voted to support the revised proposal from the developer that was presented to the contact team on April 29th, 2021. A copy of this revised proposal was sent to city council and should be in council backup material. The roc contact team voted to support the revised development proposal. Based on the understanding that the current property owner will develop the property in accordance with the conditions described in the presentation of a April 29th. The commitments of the

[2:37:28 pm]

proposed revision are, limit the height on I-35. Limit height to 30 feet on the eastside faces the houses on matagorda street. The height of the building will be stepped down from 60 feet to 30 feet according to the drawings in the April 29th proposal. The building is limited to 100 units. There will be no balconies or windows on the eastside of the building. A vegetative buffer will be maintained between the building and the neighborhood. The developer will request a variance for an eight foot privacy fence between the building and the neighborhood. Access to the building will be from I-35 service road only. The roc contact team requests that a conditional overlay be added to the property that specifies the vegetative buffer and that these commitments by the developer to the contact team be recognized in the approval of the zoning case by the city council. [Buzzer]. Thank you.

[2:38:32 pm]

>> Donna Carter. Donna, please unmute.

>> I am unmuted.

>> Please proceed.

>> I'm Donna Carter and I'm here to speak on item number 91, soul cycle. I hope you read my letter to the planning commission that talked about my disappointment in the lack of true affordable that we can really enforce on that site. So the fool's gold of affordability and residential use aside, the project offers few urban design or public enhancements in exchange for unregulated entitlements. The zoning affording the developer rights not enjoyed by others with similar property. It undermines the recommendation of city staff and the city's ability to

[2:39:32 pm]

enforce zoning in downtown preservation plans that have already been agreed to by the community. If every site in a transitional area is a negotiated land grab, it will be hard to assure our citizens that any safeguards for neighborhoods and special places can be enforced with any kind of new code. Great streets are not a magic bullet to greatness. They will miss the nuance and specific of the area. So if this area looks like brazos we will have lost another uniquely Austin area. With height there should be urban design issues, less impervious cover, perhaps rainwater collection, site specific traffic management offered at a very dangerous curve. A street capacity on the books at 80 feet but don't know how that's ever going to happen. We have worsening urban runoff that needs a floodplain where you can see a wall of water coming down shoal creek. We get landlocked when Lamar

[2:40:32 pm]

and sixth flood. This is a downtown mixed use area, not a mercenary area with every site for itself. Please listen to your staff and deny this particular zoning. Vmu 60 is plenty for this site. I would love to sit down and look at the issues with the developer. That has not happened. I know I can't enforce the affordability for residential, that hasn't happened. We can have a good project here, but not without some limitations. [Buzzer]. I'm certainly available to answer questions, I'm certainly available to work with the developer.

>> Speaker, your time has expired speaker.

>> Mayor Adler: Thank you very much.

>> Stacy Peterson.

>> Hello?

>> Yes, go ahead.

[2:41:34 pm]

>> Yes, hi. I'm Stacy Peterson. I'm here to speak about item 81, which I believe is being postponed until September 30th, is that correct?

>> Yes.

>> So I just guess I'm here to answer questions.

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

>> All right, thank you.

>> Mayor Adler: Thank you. Next speaker?

>> Ana Perea?

>> Hi, good afternoon. This is Ana with [indiscernible] Housing partners. I am here to speak in favor of item 98, which is being postponed. I'm just here in case there are questions regarding the item. Thank you so much.

>> Mayor Adler: Thank you.

>> Gay Thompson.

[2:42:40 pm]

>> This is gay Thompson.

>> Please state your comments.

>> I'm here to speak regarding item 81. I understand it has been postponed. No mention was made, but when these cases are postponed, are we able to leave the meeting at this time?

>> Mayor Adler: Yes, you can come back on the 30th and speak then.

>> Perfect. Thank you, sir.

>> Mayor Adler: Thank you.

>> Bye-bye.

>> Mayor Adler: Bye.

>> Barbara Mcarthur.

>> Hello.

>> Mayor Adler: Go ahead.

>> I'm here to speak on -- can you hear me?

>> Yes. Please proceed.

>> Hello? Okay. I'm here to speak on two items. The first is item 99, c142021-0019, the brentwood neighborhood association has had

[2:43:40 pm]

a series of meetings with the developer and we support the rezoning case of the old bowl with the executed conditional overlay as agreed. Brentwood neighborhood association is supportive of the 300 additional dwelling units to be built at the site. Thank you very much. The second item is item 97. I'm speaking once again for myself, but I am the vice president of the AMC. And we offer support to many communities throughout Austin. Specifically I'm talking about the east mlk neighborhood at 4120 east 12th. I ask for something simple. Listen to this community. This property is environmentally sensitive. It has springs and is a flood-prone area. It also is culturally sensitive. It borders the first African American cemetery in Austin, Bethany cemetery. It's not a lot for the community to ask you not to add the vmu. It's very disturbing that the

[2:44:41 pm]

petition was rejected again by the staff without any reason given to the community. Once again, it will be a big message if you ignore their supported request to deny this rezoning in one of the remaining highest black census tracts in Austin. Words of support mean nothing without action to support the community. Thank you.

>> George Mccullough.

>> I was here to speak on item number 81, which has been postponed, so I'll hold my comments.

>> Mayor Adler: Okay.

>> Medea Leah.

>> Hey there. My name is medea. I'm here regarding 73 and 74. I recently purchased my home at 1804, and I'm sure you can hear

[2:45:41 pm]

construction in the background. I purchased this house a mere two months ago and I did not know that there was going to be an apartment building that was going in behind it. I bought this house knowing there was an officing building and it wouldn't be transient. I do not want a highly condensed unit behind me that also looks like a la quinta. I'm a director of user experience for a

local consultancy project that has been around for 18 years. We have worked with the city of Austin actually, in fact. And I have lived in Austin since 1994 and have seen the evolution. Now the planning commission voted against it and I don't understand why we are here today. As I mentioned, I bought my house and do not want this ugly apartment building that should be on Riverside not near Travis heights. This unit is not up to Austin

[2:46:41 pm]

standards in design for being this close to downtown as well. This area, I don't know if you know this, but east of 35 and within this area there's many foundation issues. And if there's construction behind my house -- I'm fixing some of those foundation issues that have surfaced throughout the years. Anything that I fixed will be disrupted by this construction if it goes in. So it's absolutely unacceptable for a city to vote this in. I'm pleading for you to vote against it. Those are just a small amount of my grievances against the unit. The neighborhood has voted against it as well. The only person in favor is actually trying to sell his house and that I believe is next-door to me on the corner. As I mentioned, I am a director of experience design. Our focus is to create better experiences for people. [Buzzer sounding]

>> This unit will not create a better experience for our

[2:47:42 pm]

neighborhood. It will outrage our neighborhood and create a ton of traffic in this area.

>> Your time has expired.

>> Our infrastructure is not up to par. Harris.

>> Hello, mayor, councilmembers. I signed up to speak on items 82 and 83, 901 and 907, but I understand they're slated for postponement to September 30th. And I'd prefer to speak then. Is that correct, mayor?

>> Mayor Adler: I don't think that 82 and 83 have been postponed. What? 81 I saw being postponed to 9/30, did I have that wrong? You're muted, Jerry.

>> We did have 82 and 83 slated for postponement.

>> Mayor Adler: I missed that. Thank you. I stand corrected. Is 81 postponed?

[2:48:43 pm]

>> Number 81, mayor, yes, we also have that proposed for postponement.

>> Mayor Adler: Okay. Thank you. So, yes, speaker, you will have the opportunity to come back to speak

on 82 and 83 on September 30th.

>> Thank you very much, mayor. Bye.

>> Mayor Adler: Bye.

>> Alexandria Anderson.

>> Hello?

>> Yes, go ahead.

>> Hello? Can you guys hear me?

>> Yes, we can. Go ahead.

>> Okay. Good afternoon, mayor, mayor pro tem, and councilmembers. My name is Alexandria Anderson and I am the vice president of the martin Luther king neighborhood association, and also a part of the auc executive committee and our east mlk contact team. I would like to address starting off some of the issues and things that were said at the last council meeting pertaining

[2:49:46 pm]

to our case. It was said that our neighborhood association and the neighbors were contacted about resolution 1117 by councilmember harper-madison. That is not true. It was stated that the resolution and that the city would take ownership over the cemetery, and that our neighborhood and association was okay with that. That is not true. The city has a long history of not listening to their constituents in the past. And we are still dealing with these same issues in 2021. In the transcript of last meeting, councilmember harper-madison approved at 9:09 to postpone our case and based on our community concerns, then suspiciously retracted her decision, allowing the developer's representative to speak. This has been ongoing behavior

[2:50:46 pm]

towards the community for blatant nonsupport and non-transparency. Like many neighborhood associations in our district, we have made several attempts to discuss community issues and to no avail. We have several cases in our area of 78721 and that's what brings me here today. Current item 97 is going through for a second reading because of our previous efforts were ignored for our valid petition. Bethany cemetery is the first black cemetery in Austin. [Buzzer sounding]

>> And the reaction to this item, to this zoning is disrespectful. It is being treated like just another cemetery.

>> Your time has expired.

>> This land, its boundaries which are in question.

>> Fred Lewis.

[2:51:47 pm]

>> Hello, can you hear me?

>> Yes, go ahead.

>> Okay. I'm talking -- excuse me. I've got a raspy voice. [Coughing] I'm talking on item 97, which is 4120 east 12th, in opposition. I think the council should deny this because I think the staff has made two fundamental mistakes. The first is on the law and the petition rights. And second, they have not respected the community or reflected the community values. The staff has denied -- the legal staff -- with no explanation, saying there's no valid petition rights. That is, in my view, knowing something about it, wrong. Bethany cemetery association filed a valid petition by two of its officers. It's a valid organization.

[2:52:47 pm]

And you can find that ownership on tcad. And you can find its formation at the secretary of state today. I did. It owns 39% of the land surrounding the property in question. I do not know, the staff did not give whatever technical argument they gave, but I will tell you the case law is not favorable to gotchas with laypeople on protest rights. And it's disrespectful to people where it's very clear the association owns the property and that they object in the petition. And it is a loser in court. And last, it really doesn't matter if we say we're a community of racial justice and black lives matter if when a black community, one of the few remaining historically majority black populations, says it does not want a development as proposed, and we're unwilling to

[2:53:48 pm]

listen to them. Frankly, I think the community knows its interests better than any of the councilmembers -- [buzzer sounding]

>> Even their own. And you should respect it. They have earned the respect. They earned by hard work of their own --

>> Speaker, your time has expired.

>> Discrimination from the city and it's time to respect them. Thank you.

>> Susan Benz.

>> Hello, this is Susan. Can you hear me?

>> Yes, go ahead.

>> Great. I am speaking to you on items 88 and 89. I am a resident of this neighborhood. I live on east 2nd treat. Street. I wanted to understand score what Kristen had mentioned to you earlier about the T.O.D. Regulating plan and the

[2:54:48 pm]

affordability standards. The regulating plan for the plaza. It is clear in order for a property to pay a fee in lieu, they must demonstrate a compelling reason not to provide housing on-site. As Kristen stated. Don't believe that's happened. We've spent months talking with the developers on this project. And most recently, Richard stated that he was not sure of the pathway to get the pocket park built. This right-of-way has a troubled past and it's quite unsightly. The developer stated they would pay up to \$48,000, what they've got budgeted to develop this right-of-way. But yet he previously had acknowledged that he thought it would take a million dollars. And as Kristen had noted, consultants that worked on it

[2:55:49 pm]

previously think it's more like 1.5-1.8. If you decide to award this developer the additional height in exchange for the pocket park and the fee in lieu, please require that they cover all of the costs of the construction of the pocket park and to use the drawings that they have shown us of what they intend to do. Thank you very much. Please vote against this project.

>> Clay Greer.

>> Thank you. I'm the homeowner on a street and I'm here to reiterate the opposition to 73 and 74, not only by the city's own planning commission, but more importantly, our neighborhood. The current city land use definition for the property is not suitable for residential development. Referencing the staff report for the two cases, the main supporter at 1814 currently has his house up for sale.

[2:56:50 pm]

The proposed plan calls for 25 feet of buffer between the development develop our neighborhood. And the August 10th planning commission, where they voted against the rezoning, the developer admitted that a majority of the vegetation behind the neighborhood would need to be removed to update the sewer main. You cannot replant trees on a sewer or drainage easement. There are five trees within 25 feet of the property line. The majority of the green space shown is made up of trees between 35 feet to 50 feet of the property ruin. Line. Removing trees for construction would eliminate the buffer completely. The number one goal of roc is, and I quote, to preserve and enhance the character of existing residential neighborhoods, end quote. This team considered the potential of this project to reduce the residential character of the neighborhood, not worth the price of adding some units at

80% mfi.

[2:57:53 pm]

[Clearing throat] The property is nowhere close to public transportation or an activity corridor. And I'll conclude by stating that page 3 application 2 of land use, and I'll reiterate, the commercial land use should be used in areas with good transportation access, not suitable for residential development. If the property is not suitable for residential development, the planning commission opposes it and the neighborhood is against it, why are we discussing this? Thank you. [Buzzer sounding]

>> Steven Schrader.

>> My name is Steven, president of the seven oaks neighborhood association. I'm speaking about agenda item 81. I just wanted to express my support for the postponement and

[2:58:54 pm]

let you know that the neighborhood has been working diligently with the developer, the neighbors, city staff, and councilmembers' aides to try to understand the impact of the development on our properties and identify ways that we could address issues of concern. Thank you.

>> Deborah Sloan.

>> Good afternoon, mayor, mayor pro tem, and city council. Reiterating my name is Deborah Sloan. I'm a 20-year member of the Harris county historical commission, and also a member of the Harris county cultural heritage commission. And I'd like to speak with regard to item 97. And my comments are as follows. Studies reveal that African American cemeteries are constantly threatened and are disturbed by land development.

[2:59:57 pm]

Prime examples include then from burial ground in New York and locally here in Texas, the Strickland 95. And another cemetery, one of the oldest African American burial grounds in Houston. While we realize population increases require the need for commercial and residential development, must that development occur at the expense of those persons interred in Bethany cemetery who have contributed to the city of Austin's early economy, via the institution of slavery? Generations are still benefiting from that economy -- not black generations. We must also consider the generations also buried in Bethany cemetery whose efforts were against racism and prejudice, namely reconstruction, the black code, Jim crow, and the civil rights movement. Their lives are important, too. Cemeteries are sacred, hallowed places of tribute and memory connecting communities with their past. More importantly, cemeteries are

[3:00:59 pm]

cultural heritage and historical resources which belong to everyone and are irreplaceable. If they are destroyed. I advocate protecting Bethany cemetery, considered one of Austin's oldest burial grounds, and an historic site worth preserving. Recent studies reveal a blatant disregard for African American cemeteries, as witnessed by construction of new streets, roads, paving, highways, subdivisions, commercial buildings, schools, golf courses, and the like. [Buzzer sounding]

>> As a result, the African American footprint is being erased from the landscape.

>> Tanya debeau.

>> Hello. My name is Tanya and I am calling regarding item

[3:02:00 pm]

number 97. I am representing communities from across the nation where we see the same type of development coming into communities, erasing and destroying the culture and the heritage that is there. Also creating negative impacts that include flooding, that then exacerbate the community and causes more displacement. We are here to support the Bethany cemetery association as well as the mlk association to reject the up-zoning of this property, to listen to that community, hear them about what they want and what they need, and stop gaslighting African Americans and removing them from the cities and places where they have long since had a stake. These communities where they have built, these communities where they have worked, lived, and worshipped and raised families. This is not acceptable. Austin, we can do better. And all of our communities, we can do better by starting to

[3:03:02 pm]

listen to those who have been marginalized and have been traditionally and historically treated unjustly when it comes to development and ownership in their own communities. Again, we ask the city council and the mayor to reject the applicant's application to up-zone this area. Thank you.

>> Dan kashe.

>> Hi, council. I am speaking in favor of item 91. I am a pretty nearby neighbor. I live a couple blocks away and I walk my daughter in the stroller by the site pretty often to go and watch the kids at the skate park. It's a wonderful location. I think you all know that. It's very close to shoal creek, the shoal creek trail, it's an easy bike ride to the central

[3:04:03 pm]

business district. It's right close to the new Orange and blue line. It's near a ton of restaurants. I love living here. The people who move in will love living here. And one of the big things that we lack in this little part of downtown, though, is residence. I am surrounded by, you know, buildings that were built as houses but are now law firms and professional associations. And I'm so glad that people -- that this developer figured out a way to make a project pencil that brings a lot of new people. It's a very

innovative project. What's there right now is complete impervious cover. But it's going to be replaced with -- there's solar, there's -- they just agreed to look into vegetation. There's going to be sidewalks. I think it's going to be a really great project, a big asset to help out the neighborhood and all the people who live there. Thank you.

[3:05:07 pm]

>> Madeline acry.

>> Hi. Thank you for your consideration. I'm speaking on item 97, the Springdale community. About 700 feet west of the property is a drainage ditch. And currently that drainage is -- when we have intense rain, this whole area gets decently flooded, or significantly saturated. And Springdale road is a recently designated transit corridor. So I understand the city's emphasis on higher density apartments in the area and affordability. But I really want to consider the feasibility of this site right on the corner of 12th and Springdale if this is really the right decision. And I'm in opposition of this

[3:06:08 pm]

vertical up-zoning. As someone who lives right in this area, I want to be cognizant of what direction the city is going, but I think for this specific site, this is not the right decision. And the feasibility for putting something of this size and subsequently leveling all of the trees that are currently preventing erosion there is not acceptable. So, please consider not accepting the vertical zoning. Thank you.

>> Chris Riley.

>> Good afternoon, mayor and council. My name is Chris Riley. And I'm here to say a word about item 91, the shoal project, west 11th street in old Austin. I live nearby at 14th and San Antonio. I'm on the board of the old Austin neighborhood association. The board has voted to support this project at the height of 90 feet because of the

[3:07:12 pm]

neighborhood goal of bringing residents back to the neighborhood, as Dan just mentioned a little while ago. And it will do so without parking. All parking will be underground, decoupled from the residential area. The board has agreed to enter a restrictive covenant to ensure any development will reflect the commitments discussed. This area -- I totally agree with Dan. This is a really great place to live, especially for those of us who would rather not drive everywhere. It's right by the shoal creek trail, a major corridor for pedestrians and people on bikes. It's within two blocks of bus stops on Lamar and west 12th. It's a ten-minute walk to the capital station metro rapid stop. Plans are under way to place a rail stop in the same area. We're now poised to achieve levels of residential density that will bring life back to this area. The project is currently under

[3:08:13 pm]

construction on the north half of this block, adjacent to this site, with a 90-foot height approved last year. Three blocks east, the capital corridors multifamily project is under construction and it's especially exciting because it's parking-free. Now this shoal cycle project will enable us to welcome 210 new neighbors without an onslaught of new car traffic. The 58 parking spaces will be decoupled, to most of the people living here will save money by walking, biking, or using transit. This is exactly the kind of thing we need to embrace as a city in order to meet an array of goals, including goals for housing, transportation, climate, and water conservation. [Buzzer sounding]

>> I'm very excited about this project. It will be a boon for the neighborhood.

>> Speaker, your time has expired.

>> I hope you'll support it.

>> Jonathan Pearson.

[3:09:24 pm]

>> Hi. I'm the architect on number 9 91 and I'm just here to see if I can provide answers to any questions that are brought up.

>> Okay. Thank you. Sarah Andre.

>> Good afternoon. I'm here for item 98. I'm just a resource in case anybody has questions about the tax credit process or the bond process. And I will withhold any further comments until the 30th. I believe we've been postponed.

>> Thank you. Tracy Dameron.

>> Good afternoon, can you hear me?

>> Yes, go ahead.

>> Thank you. I called earlier and I wasn't sure if I was cut off or not. I'm speaking for the council

[3:10:24 pm]

heights neighborhood association. Thank you for your time. And we are here to support the number 86, the project at 1901 north Lamar. We have worked with the developer and we have a private restrictive covenant that we believe works for the been fit of both -- benefit of the neighborhood association and the developer for this particular site. Thank you for your time. And we appreciate all you do.

>> Mayor Adler: Thank you.

>> Meghan mise nbach.

>> Hi, good afternoon. I'm also speaking on number 86, project at 1901 north Lamar. I'm representing the neighbors who are in support of the zoning change requested with the understandings listed in our private restrictive covenants. I also have a comment on item 97, Springdale residences.

[3:11:25 pm]

This is a good time to listen to the historically majority black community who do not want the vmu added to the zoning. They want you to consider the Bethany cemetery, dove springs, environmental issues, as well as safety. So, please listen to your constituents and reject the zoning application. Thank you.

>> Mayor, that concludes all of the speakers.

>> Mayor Adler: Great. Thank you. And thank you, everybody who participated. Colleagues, let's do the consent agenda. Jerry?

>> Okay, mayor. The first item I can offer for consent is item number 70. This is c14-2021-0047. I can offer this for consent approval on all three readings. Item number 71 is case 0089. I

[3:12:25 pm]

can offer this for consent approval on all three readings. Im number 72, 0095. I can offer this for consent approval on all three readings. Item 73 is case npa-2020-0021.01. I can offer this case for consent approval on first reading only. Item number 74, case c14-2020-0075, I can offer this for consent approval on first reading only. Item number 75 is case npa2020-002.02. I can offer this for consent approval on all three readings. Item 76, case c14-2021-0058, offered on consent approval on all three readings. Item number 77, case c14-2021-0087, I can offer this case for consent approval on first reading only.

[3:13:26 pm]

I believe mayor pro tem Har per Madison requested we pull 78. I can offer another item for consent approval. Item 80, case c14-2021-o096, consent on all three readings. 81, c14-2020-0146, a postponement request until September 30th. The applicant is not in opposition. 82, case 2021-0017.02, a postponement request by the applicant until September 30th. The applicant is not opposed. Item number 83, case c14-2021-0055, this is a postponement request by the neighborhood until September 30th. The applicant is not opposed. Item number 84, npa-2021-0018.01, consent approval on all three readings.

[3:14:28 pm]

Item number 85, case c14-2021-0018, I can offer this for consent approval on all three readings. Item 86,

case c14-2021-0010 for consent on all three readings. Item number 87, c14-2021-0059, a postponement request by the applicant until September 30th. Item number 88, case c14-2021-0017, this is a postponement request by the staff to September 30th. Item number 89, case npa-2020-002.01, the fair market case, this will be a discussion case for first reading only. Related item is item 90. This is the zoning case for the fair market. This will be a discussion case, also. Item number 91, case c14-2021-0078, I can offer this for consent approval on all

[3:15:30 pm]

three readings with the recommendation. Item number 92, case c14-2020, a postponement request by the neighborhood until September 30th. The applicant is not opposed. Item number 93, case c14-2020-0151, this is a postponement request by the neighborhood, the applicant is in agreement. Item number 94, case c14-2021-009, this is a postponement request by the staff to September 30th. Item number 95, case c14-2021-0060. I can offer this case for consent approval on second and third readings. Item number 96 is case c14-2019-0059, a postponement request by the staff to September 2nd. Item number 97 we have a postponement request for the 12th and Springdale, by the neighborhood to September 30th.

[3:16:30 pm]

The applicant is in opposition. So this, mayor, would be a discussion postponement on item number 97. Item number 98 is case c14-2021-0023, a postponement request by the staff to September 30th. And item number 99 is c14-2021-0019. I can offer this case for consent approval on all three readings. The item from the addendum, 112, I can offer for consent approval on first reading only.

>> Mayor Adler: What was 99? I'm sorry.

>> Number 99 was consent approval on all three readings.

>> Mayor Adler: Thank you. Colleagues, I'm showing the consent agenda in zoning to be numbers 70-99 and also 112. The ones that I have us pulled to discuss or to discuss

[3:17:31 pm]

postponement are 79, 89, 90, and 97. And 98. 78. Sorry, I missed that. 78, 89, 90, and 97. Those four. Is that correct?

>> Yes, mayor.

>> Mayor Adler: Okay. 78, 89, 90, and 97.

>> Tovo: And mayor, I would like to also pull 91, please.

>> Mayor Adler: Let's also pull 91. Okay. Is there a motion? Mayor pro tem.

>> Harper-madison: A couple things. I'd like to address the body of our constituents. You know what's going on. I wanted to give more insight to my colleagues and our constituents because I will be absent intermittently. And because of my situation, I missed the opportunity to weigh in on the consent agenda. I wanted to vote for it.

[3:18:33 pm]

I had commentary to go along with it. So if you wouldn't mind allowing me the opportunity to do that prior to my departure.

>> Mayor Adler: Okay. Please make sure you grab attention to do that if I overlook that.

>> Harper-madison: I'll ask now. Where is the appropriate place to grab your attention?

>> Mayor Adler: We need to get rid of the consent agenda and then I'll give you a chance now.

>> Harper-madison: I appreciate it.

>> Mayor Adler: Oc. Okay. Is there a motion to approve the consent agenda? Councilmember kitchen makes the motion seconded by the mayor pro tem. Discussion on the consent agenda? That's items 70-99 and 112. Pulled items are 78, 89, 90, 91, and 97. Any discussion on the consent agenda? Councilmember Kelly.

>> Kelly: Thank you, mayor. I'd like the record to reflect that I'm voting no on number 72 and then just real quick, I know

[3:19:34 pm]

81 was postponed, but I do want everyone to know that there was a town hall that my office hosted with city staff to provide more information on Monday. We can send a link out to anybody who'd like to see that. I want to thank city staff and just let everyone know that there are environmental concerns about this property and significant traffic concerns, so I'm thankful for the postponement and for all the callers who called in today about the item. Thanks.

>> Mayor Adler: Okay. We have a motion and a second -- yes, mayor pro tem.

>> Harper-madison: Clarify, this is the part where you'd like for me to deliver my remarks?

>> Mayor Adler: Hold on one second. Let's pass the consent agenda and then --

>> Harper-madison: That's what you said. Forgive me. I missed a portion of what you said. Please proceed.

>> Mayor Adler: Okay. Any discussion on the consent agenda before we take a vote? Let's go ahead and take a vote. Those in favor of the consent agenda, please raise your hand. Those opposed? I'm showing everyone voting in

[3:20:36 pm]

favor. So the consent agenda passes. Yes, Jerry?

>> If I could make one quick amendment to the consent agenda, item 77 I failed to read. [Laughing]

>> Mayor Adler: You're breaking up, Jerry.

>> Which prohibited drive-ins as an accessory use. Both sides are in agreement to take that out.

>> Mayor Adler: Could you say that again? You were breaking up. Jerry, would you say that again?

>> Item number 77, the Johnny Morris case, which we approve on consent on first reading there was an agreement between the neighborhood and the applicant to remove a condition which is 2b in the ordinance. That condition prohibited drive-through as an accessory use. And removing 2b would allow that.

>> Mayor Adler: Okay. Let's take a vote on the dais to reconsider the vote on the motion to consent. And then to pass the motion to

[3:21:39 pm]

consent with that removal of that condition. Was it adding a condition or removing a condition on 77?

>> Removing a condition, mayor.

>> Mayor Adler: And removing the condition as Jerry laid out for item number 77. Okay. Yes, councilmember tovo?

>> Tovo: I'm confused about that, but I'll move.

>> Mayor Adler: Okay. Is there any objection to reconsidering the item on the dais? Okay. I'm seeing everyone in agreement. The motion -- we're going to vote again, reconsider the motion for consent. It's the same motion as we had before except that on item number 77 as Jerry read into the record, one of the conditions on the property is being removed.

>> Tovo: Just to clarify, Jerry, we are removing the prohibition on drive-ins or drive-throughs?

>> It has removing the condition of drive-throughs as an accessory use being prohibited.

[3:22:40 pm]

>> Tovo: I'm going to need you to say that again.

>> Removing a condition, drive-through is not a use unto itself. It's accessory to a main use. There was a prohibition of any drive-through. This would remove that prohibition. Is

>> Tovo: Is that something that was discussed at the land use commission? I'm seeing one of our audience members with a hand up, so I'm just wondering if that's . . .

>> I received an email --

>> Tovo: This is going to be a surprise to those who have been involved in this case.

>> I received an email this afternoon stating the applicant and the neighborhood were in agreement on removing that condition.

>> Tovo: Both of them? I believe we have representatives from both the applicant and the neighborhood. Both have their hands up. Mayor, I don't know if it's appropriate to --

>> Mayor Adler: Are people here to speak on this item? Why don't you come on up and we'll recognize them both.

>> Mayor, mayor pro tem,

[3:23:41 pm]

councilmembers, my name is David Anderson representing the applicant. We are in agreement with colony park with Barbara Scott. We have in a letter and recent communication that they are desirous of removing the prohibition because they'd like to see things like drive-through pharmacies and those to - they'd like to have the opportunity for those uses so we are in agreement. It's in writing, and we provided that to staff.

>> Mayor Adler: Okay. Do you want to speak on this?

>> Mayor, my hand was raised for item 75 and 76 which is centro east. I'm asking councilmember Renteria and Ms. Tovo who asked me more about that project, the neighborhood is not in agreement. The letter of support was a misunderstanding with the developer and I'd like more time to resolve it. I think we can resolve it, but I'm asking for it to be removed from the consent agenda. Thank you.

>> Mayor Adler: Thank you.

[3:24:41 pm]

So, any further conversation here with the motion to reconsider that was passed? It's the same motion, item number 77 has that restriction removed. Are we ready to take a vote? Let's take the vote. Those in favor, please raise your hand. Those opposed? Unanimous. It passes again with that change. Mayor pro tem, I'm going to recognize you to speak on the consent agenda this morning.

>> Harper-madison: Thank you. I appreciate that, mayor. So, there was -- I think councilmember Casar does it best when we pass the consent agenda that has important things, I think sometimes our constituents miss our care and concern and passion for items on it. So the article in the statesman yesterday said Austin is said to welcome 185 refugees by the end of the month, more than the number who move to our region every day. We could have a conversation about the merits of war in

[3:25:42 pm]

Afghanistan, but I'm a city councilmember and I'm going to stay in my lane. I will say that as a city, we can help the people who put their lives on the line to assist our efforts over there. And I believe we have a moral obligation to do so. I'd like for us to look to cities across the country that have embraced refugee populations in recent decades and see how they've become richer communities for it. And every city where they've been welcomed, refugees have been a net good. I believe that's true in Austin as well. Our city is home to around 12,000 -- sorry, around 12,000 people who left precarious situations in places like Bosnia, Cuba, Somalia, and Iraq. Just like so many other new comers, they have arrived in Austin looking for a better life. I think the good news is we have opportunities growing on trees here. There's more than enough to go around. And I think Austin is a welcoming city whether you're

[3:26:42 pm]

from Dallas or Kandahar. So I'm really more than happy to do what we can to keep our doors open to anyone who wants to come in. Thank you for recognizing me, mayor.

>> Mayor Adler: Thank you. Colleagues, I'm going to call up three of the zoning cases that the mayor pro tem wanted to make sure that she was here for. The three that I understand mayor pro tem, are item 78, 91, and 97. So we'll go ahead --

>> Harper-madison: Yes.

>> Mayor Adler: And call those up. Let's begin with item number 78. And I think you pulled this one, mayor pro tem.

>> Harper-madison: I did, mayor. Thank you for recognizing me. To my colleagues, to show you all respect, I know that everybody sacrifices a lot to be here for the entire meeting and I'd like very much to do so but there was a death in my family and I need to be with my family today. And so I would appreciate your

[3:27:43 pm]

grace and understanding that I have an early departure and need to take my items up now. So, item number 78 is the Johnny Morris case. And I would like to hear from the applicant. Mr. Anderson, would you like to address the council regarding item number 78?

>> Mayor Adler: Yes, go ahead.

>> Thank you, mayor pro tem, councilmembers, mayor, David Anderson. This is related to item 77. I've done a terrible job of communicating today. And we are okay with this item moving to being postponed to September 30th. It is related to the other case. And I just didn't do a very good job so I don't want to waste your job, mayor pro tem. I'm sorry for wasting your time. So we're okay with that. There aren't any issues. Yeah. I just mis-communicated and

[3:28:44 pm]

we're okay with that being moved to September 30th, which was the original way it was supposed to be handled today.

>> Mayor Adler: Mayor pro tem?

>> Tovo: It's wacky times. Thanks for your participation.

>> Thank you. My apologies.

>> Harper-madison: Thank you, Mr. Anderson.

>> Mayor Adler: Mayor pro tem, do you want us to then proceed with postponing this until September 30th?

>> Harper-madison: Yes, please. Thank you.

>> Mayor Adler: Okay. Is there a motion to postpone until September 30? The mayor pro tem makes the motion, councilmember pool seconds. Those in favor, please raise your hand. Those opposed? I'm showing it being unanimous on the dais. That gets us to item number 91. Councilmember tovo, you pulled this item.

>> Tovo: Yes, mayor.

[3:29:46 pm]

So, have we concluded with the mayor pro tem's items?

>> Mayor Adler: Yes, we postponed that until September 30th.

>> Tovo: Okay. So, I would like to ask our staff to -- well. If Mr. Ruston could clarify what is on consent three, the planning commission recommendation or the staff recommendation? I assume it's the planning commission recommendation.

>> Yes, councilmember. What I offered was the planning commission recommendation.

>> Tovo: Mr. Rusthoven, could you talk us through the staff recommendation and the rationale for it?

>> Sure, councilmember. The downtown Austin plan adopted by the city council lays out recommended heights for different districts. On this property, the plan recommended 60 feet. Therefore, the staff did recommend the dmz zoning with the height limitation of 60 feet to be in compliance with the

[3:30:47 pm]

downtown Austin plan. The applicant was requesting 90 feet and the planning commission agreed with the applicant rather than the staff.

>> Tovo: Mr. Rusthoven, can you talk us through what would planning -- what would the planning principles dictate in terms of 60 feet versus 90 feet at this location?

>> Well, councilmember, the staff does feel an obligation to follow the downtown plan because it was adopted by the city council and is the existing policy. To be honest, I could not come up with a rationale beyond compliance with the plan for limiting the property. Generally speaking the downtown Austin plan recommended lower heights as you move further west away from congress avenue. And the consent agenda at the consensus at the time, what was approved, was that this would be a 60-foot area.

[3:31:47 pm]

The applicant has requested 90. That is the sole basis for the staff recommendation, is compliance with the plan.

>> Tovo: Okay. I appreciate that explanation. Thanks, Mr. Rusthoven.

>> Sure.

>> Mayor Adler: Okay. That gets us to consideration of item number 90. Is there a motion on item number 90?

>> 91.

>> Mayor Adler: Item number 91, is there a motion on item number 91? Councilmember Renteria makes

the motion to pass item number 91. Is there a second to that motion? Councilmember pool seconds that motion. Discussion. Yes, mayor pro tem.

>> Harper-madison: Thank you. I appreciate it. I think we all agree that downtown is where density is appropriate. It's one of our most if not the most walkable, bikeable, transit-friendly parts of town. We've seen people that are willing to pay a high premium

[3:32:47 pm]

for those qualities. Virtually all of the new housing built in downtown in the past years has been well beyond the reach of working class and frankly even middle class people. So while downtown has become increasingly dynamic and vibrant as a district it's also become economically exclusive as a neighborhood. We have some work to do on our end to address that. At the same time, I appreciate that the private sector is looking out for its own ways to create more diversity in this part of town. I appreciate that the project proposes to do that while also helping us move closer to our other goals regarding mobility, safety, and climate change. I appreciate that it proposes to do it in a part of town that could use a little more tlc. My mind's eye, neighborhood character is more than what buildings look like. It's about who's using those buildings and how they're using them. There are a lot of lovely old homes in northwest downtown. But the vast majority of them are being used as offices for lawyers and doctors, and other

[3:33:48 pm]

white-collar professionals. There's not much around there that's alive after 5:00. So I'm all for helping restore some of the residential nature of this old neighborhood. More people living there helps us to realize the investments we made in sidewalks, trails, bus routes and light rail. It also helps us activate the park which is underutilized and a ghost town much of the town. While I appreciate the staff recommendation and that it reflects our downtown Austin plan I feel like our city has changed a lot in the ten years since that document was approved. Since then, we've adopted goals about being a compact, connected city where only half of our residents drive alone and we have a net zero carbon footprint. I think our planning commissioners recognize that when they overwhelmingly supported the request for 90 feet. It makes sense given the height of the other buildings and projects in the immediate haven't. Vicinity. I'm reassured with the applicant's willingness to work

[3:34:49 pm]

with the neighborhood association. This demonstrates a commitment to deliver to the best of their ability on the vision that they presented. And finally, I appreciate the applicant for working to demonstrate just how much parking adds to the bottom line of housing costs. I think it's something we all can't forget and need to pay very careful attention to moving forward. Physically and financially, less space for cars means more space for people. And lower costs passed on to those people. So I support the rezoning and I hope to see the promise of this project fulfilled. And hopefully even replicated in other parts of the city.

>> Mayor Adler: Okay. Let's go ahead and take a vote on item number 91. It's been moved and seconded. Those in favor, please raise your hand. Those opposed? Unanimous on the dais, number 91 passes. Let's go then to item number 97.

[3:35:53 pm]

>> Mayor, item number 97, one moment, please.

>> Mayor Adler: This was the discussion postponement.

>> Yes. Item number 97, c14-2020-0089, 12th and Springdale. This case is ready for second and third readings. We have a postponement request by the neighborhood to September 30th and the applicant, Ms. Glasgow, is opposed and would like to have the case heard today.

>> Mayor Adler: Okay. Is there a motion? Mayor pro tem.

>> Harper-madison: Sorry about that. Sometimes that mute button sticks. Yeah, I would like to make a motion to approve on second and third readings.

>> Mayor Adler: Okay. There's been a motion to approve on second and third. Is there a second to this motion? Councilmember kitchen seconds.

[3:36:56 pm]

Any discussion? Mayor pro tem.

>> Harper-madison: Thank you, mayor, I appreciate it. So, this one is tricky. As you all have heard. There's no question that east Austin has experienced a lot of change in recent years, thanks to a variety of circumstances, development pressure east of the highway is a lot stronger than in a lot of parts on the west side. Austin is a growing city, always has been. And outside of some unspeakable catastrophe, there's not much that will change that fact. Even if there were something we could do to stop people from moving here I wouldn't want to do it. I don't want to be the person who builds a wall to try to stop other people from searching for a better life. So, in my mind's eye the question isn't how can we stop growth. It's how can we make sure that we harness it and use it to create the best possible outcomes. This is one of those cases where

[3:37:57 pm]

we can use growth to leverage more below-market housing, better flood mitigation and more potential customers for our transit system, which we desperately need. Denying the zoning request will not stop this property from redeveloping. The property owner has made that very clear. But it would leave critical community benefits on the table. When we're talking about the possibility of affordable housing on an imagine Austin corridor, on a frequent bus route and half a mile away from a future project

connect investment? Housing that could help existing residents from being priced out of their neighborhoods. I can't imagine why I would oppose that. We have thousands of people living without roofs over their head. Way more of our neighbors are spending more than a third of their incomes on rent and

[3:38:57 pm]

mortgages. According to the recent housingworks data, district one leads the city in the number of subsidized housing units. Nearly one out of every four income-restricted homes is in my district. I'm all too happy to keep adding to that number, but I hope other people in other parts of town who come over here and advocate against solutions for people who are struggling will redirect some of their time to work on solutions to make their backyards a little more economically diverse. In the meantime, I'm proud of the months and months of hard work that my team put into trying to get as much as possible and as much consensus as possible out of this case. That work will -- that work includes, you know, working with the applicant to have an archaeological study and ground penetrating radar study

[3:39:57 pm]

conducted to ensure the grounds of the cemetery will not be disturbed. Additionally, while a separate issue -- and I'll repeat that. A separate issue from the zoning case before us, our office as well as our parks department received multiple requests from residents in this neighborhood to transfer ownership and maintenance of Bethany cemetery to the city to ensure its preservation in perpetuity. And we put in significant work to help meet those requests. While the desire to pursue that initiative seems to have changed, our office is absolutely willing to carry it forward if the neighborhood ever wishes for us to take that on again. All this to say the protection and preservation of Bethany cemetery is incredibly important to me, and I'm committed to continuing to do the work to ensure that. But the adjacent site is not what we are here to discuss with the item before us. Again, I want to make it crystal

[3:40:58 pm]

clear there are only two options here. We can either deny this case and the site will still develop with 78 market-rate units and on-site detention. Or we can approve the rezoning request to allow an additional 50 units with 10% of the total units affordable at 60% median family income, and significant, significant water infrastructure improvements that will resolve current flooding issues in the adjacent neighborhood. Postponing this case, which has been trying to move by council since April, for another month, will not change that fact. So I would -- I made the motion to approve on second and third readings.

>> Mayor Adler: Okay. There's been a motion to approve 97 on second and third reading. Any discussion? Let's take a vote. Those in favor?

[3:41:59 pm]

Those opposed? Those abstaining? Councilmember alter abstains, the others voting aye. This item is approved 10-0-1. That takes care of item number 97. Yes, councilmember tovo.

>> Tovo: I just wanted to thank my colleague, mayor pro tem harper-madison for addressing the issue of the preservation of the cemetery. That was an item she brought to our agenda and I was cosponsor on it. I, too, remain supportive of participating in those conversations if that seems like the path forward.

>> Mayor Adler: Okay. Thank you. Colleagues, let's pull up numbers 89 and 90 and see if we can dispense them. I think that's all that's left on the zoning agenda. So we'll stay here for a second. Councilmember Renteria.

>> Renteria: Thank you, mayor.

[3:42:59 pm]

And I want to recommend that we just do it on first reading. You know, there's a lot of issues involved with that piece of property. You know, we've been working years on that park, you know. And we raised enough funds to get it developed. But what happened was that we couldn't make it handicap accessible without spending an outrageous amount of money and zig-zagging that little piece of land to the point where, you know, it's not even usable. This little piece of land is really part of Medina street. It's a public easement that runs down the slope. But they never paved it because there was no way that a vehicle could go down or up safely in that little area. And the reason I'm not really supporting that park, because it's going to be sandwiched

[3:44:01 pm]

between fair market and Corazon I believe is what they call that, the apartment and office complex. And it's very difficult for me to see that only the people in that little area there are going to be using that park. And then really there's not much you can do about the need to make it handicap accessible. So I don't want to see money that we could see used for affordable housing spent on that knowing that they're mowing and keeping it nice because the owners are, because there are two buildings and it's sandwiched right in the middle. And that's why I have a lot of questions about using that money that we would be getting to get it done. Plus it's in the tod district so they were going to do it as an entertainment center and put a two-story with a deck and everything,

[3:45:02 pm]

and that's not what a tod zoning is. You have to have density. It's the only way that we can. There's a lot of questions about the community benefit and that's why I'm just recommending it for first reading, and not to come back until the 30th or the last meeting in September so that we can sit down there and work with the applicant so that we can make sure that the community benefits are going to be there and it's -- and also asking them to go and work with the contact team and to come up with a solution, and that's one of the main ropes I was doing it for first reading too is that they can go ahead and work. So I would be willing to make that motion on first.

[3:46:02 pm]

>> Mayor Adler: Okay. We have a motion to pass items 89 and 90 on first reading only. Is there a second to that motion? Councilmember Casar seconds. Further discussion? Councilmember alter.

>> Alter: I appreciate councilmember Renteria's work on this and interest in improving it and I share that. I will support this on first reading. I do want to mention that I think this case really does underscore the need for us to update our fees, our affordable housing fees for tod's in particular. Thank you.

>> Mayor Adler: Further discussion on this item before we vote? Those in favor of this item on first reading only? Raise your hand? Those opposed? I'm showing everyone voting a with councilmember Kelly

[3:47:03 pm]

off the dais and the mayor pro tem also off the dais. Members off the dais. That's all the zoning cases. Jerry, thank you very much for today. Let's go ahead and move to the Austin housing finance corporation corporation if we're ready to do that. I think staff needs to work their way back. They were here earlier.

>> Alter: Mayor, could you just remind us what they have left while we're waiting for them to join.

>> Mayor Adler: I can.

>> Tovo: And mayor, I have two items that I pulled from consent but I've gotten more information about it and prepared to put back on consent.

>> Mayor Adler: Which two items are those.

>> Tovo: One is item 54. Thanks to our city treasurer for the information she provided. I will go ahead and move

[3:48:04 pm]

approval on that item.

>> Mayor Adler: There's a motion to approve item 54. Second? Councilmember pool seconds. Any discussion? Those in favor please raise your hand. Those opposed? It's unanimous on the dais. Mayor pro tem gone, councilmember Kelly gone. Those others voting aye. What's the second one.

>> Tovo: Item 23 -- well, item 23 can go back on the consent agenda.

>> Mayor Adler: 22 or 23?

>> Tovo: 53 I no longer need to discuss.

>> Mayor Adler: 53 goes back on the agenda. Is there a motion to approve item 53? I'll make that motion. Councilmember kitchen seconds that motion. Any discussion of item 53? Those in favor of 53 please raise your hand. Those opposed? I'm showing it unanimous with councilmember Kelly off the dais.

>> Kelly: I'm here, mayor.

[3:49:04 pm]

>> Mayor Adler: Oh, there you are, thank you. Mayor pro tem is off the dais. Sorry about that. , Councilmember Kelly. So to councilmember alter's question, the items that I'm showing that are left are items 28, 101, 102 and 108 . What about item 22? I think you pulled that on the end.

>> Alter: And not on consent, 111, 112, ahfc.

[3:50:06 pm]

>> Mayor Adler: Those are the ones not on consent. So the ones I'm showing had been scold off consent, 22, 28, 101, 102 and 108. We also have some non-consent items we haven't gotten to yet that includes item 64, 65, 66 and also the Austin housing finance corporation, which is 67, and also 68 and 69. And then we have the item and then also 111. So let's do the Austin housing finance corporation and get through that. I'll recess the Austin city council meeting here at 3:50 P.M. And I'll convene the -- I'm going to reconvene, calling a recess in the Austin housing finance corporation, still

[3:51:09 pm]

August 26, 2021. Do you want to lay out the consent agenda for us? Absolutely, mayor, Mandy de mayo, Austin housing finance corporation. The consent agenda, I want to note a couple of changes and corrections. Agenda item number 1, today you will just be approving the minutes from July 29th, 2021. We have pulled and will repost the August 11 board meeting minutes. Also we have withdrawn item number 2, a service agreement between the city of Austin and Austin housing finance corporation that was on changes and corrections posted earlier that related to council item number 13. And that will be reposted for the September 2nd meeting. The remaining items are related to our housing development assistance program. We have before you the authorization to execute and negotiate loans to --

>> Mayor Adler: Ms. De mayo, while you're also doing the housekeeping matters, there was also some

[3:52:09 pm]

late backup I think in a couple of Austin housing finance corporation items?

>> There was. Certainly on one item, which was number 7, and that is the foundation communities loan.

>> There was on Austin housing finance corporation item number 1 there was late backup. So go ahead and proceed now with the consent agenda. Thank you.

>> Okay. The consent agenda includes an ownership housing development assistance loan for \$1.84 million. That's agenda item number 3. Items number 4 through 7 are rental housing development assistance loan agreements which will result in nearly 500 new units of affordable housing, some of which will be restricted to people experiencing homelessness, others of which are for folks between 30 and 60 percent median family income. And so those are four different rental housing projects we're very excited

[3:53:10 pm]

about. Item number 8 is authorizing us to move forward with 5.3 acres purchase on south pleasant valley road and this will be part of our land acquisition portfolio for future disposition for affordable housing development. And item number 9 is authorizing us to move forward with about 2.6 you acres acquisition at it 3511 manor road. We're purchasing this in the public works department that's related to council item number 19 that was approved as part of the consent agenda earlier this morning. So I offer those items on consent and I'm happy to take any questions.

>> Mayor Adler: Thank you. Consent agenda items are items 3 through 9. Is there a motion to approve the consent agenda? Councilmember kitchen makes the motion. Councilmember Ellis seconds the motion. Director kitchen makes the

[3:54:10 pm]

motion and director Ellis seconds.

>> Mayor, item 1 is still on consent for the July minutes. And postponing --

>> Harper-madison: The July 29th minutes.

>> Mayor Adler: So item number 1 as concerns those and plus items 3 through 9. Thank you very much.

>> That is correct.

>> Mayor Adler: Discussion on the consent items? Councilmember Fuentes.

>> Fuentes: Thank you. I wanted to ask staff if you could please keep the southeast neighborhood contact team informed about the land with a with a session item number 8 and they

would requested to be notified for any housing tax credit applications that are submitted in the 44 zip code so if we could also ensure that they are notified if they are applications put forward. Thank you.

>> Thank you for that, councilmember Fuentes. Just so you know, Rosie and I were talking about the testimony earlier and we will be reaching out to the contact team to talk about future plans for the 5900

[3:55:13 pm]

south pleasant valley parcel as well as tax credit projects in the future.

>> Fuentes: Thank you, I appreciate it.

>> Mayor Adler: Further discussion on the consent agenda? Councilmember Casar.

>> Casar: Director, right.

>> Mayor Adler: Director.

>> Casar: And I think you're president. [Laughter]. Sorry. I wanted to take a moment because this is a really strong agenda where we're again going to be able to house hundreds of low income people and many people experiencing homelessness as well, along with purchasing land that will be the future St. John future and the Ryan drive developments which used to take so long, but now that we have this strong land acquisition strategy I think we'll be able Ta do many more of them at scale in all parts of the city. I want to thank the really hard work of our housing staff who have been tasked with so much during the pandemic and to keep addressing our persistent affordable housing coverage

[3:56:13 pm]

and then again a moment to thank the voters for their trust in us for the housing bonds that make all of this happen.

>> Mayor Adler: Okay. I think the work you're doing on affordable housing and the scale to get to 500 units today is pretty incredible and I want to thank staff for pushing that forward. It would be helpful, I think, just to be able to see how we have done as a city as we've gotten better over time. So if you could give council a memo that would indicate how many affordable housing units we've been able to do, maybe by year for the last 10 years,ic that would be really, really helpful. So that the public can see what happens as they have authorized, given money toward it and really put their shoulder to that. I want to --

>> Mayor?

>> If I might, Rosie truelove, treasurer, Austin housing finance corporation. We can certainly put together that memo. We also have on our website we have our strategic

[3:57:15 pm]

housing blueprint score cards for the last couple of years so you can see that progress as well since we've adopting the strategic housing blueprint, so we'll reference that.

>> Mayor Adler: Thank you. And I'm hoping to go before that so people can see what impact adopting that blueprint had in terms of the focus and what we were doing. Thank you and thanks for pointing out that some of that information is online. I want to call out, if I could, item number 7 for just a moment. This is a unique and really interesting proposition that is being done with Walter moreau and foundation communities. I really want to thank them for responding to the call to really help really directly with homelessness and in the community. Foundations community, great organization, does just incredible work and they probably do that kind of

[3:58:16 pm]

work as good if not better than anybody in the country does it. In this particular project it's my understanding that foundation communities in addition to the work they have done over time keeping people from falling into homelessness primarily has agreed to do a project here that will move towards serving people who are experiencing homelessness directly and half of this project will be working with folks coming off of the lists that the agencies use with respect to placing people and getting them off our streets. I want to make sure that as we move forward that other operators consider following this direction and this

[3:59:16 pm]

example of foundation communities. Certainly if we're going to house 3,000 people on our streets in three years it's going to take people like foundation communities and Walter moreau stepping up to really help with this and it's appreciated. Please make sure staff, as you did this morning as we're talking about service providers that as part of the arrangement you make sure that we're getting the information and the data associated with these folks so that we have ability to be able to measure our successes and be able to get the data to support the directions that we're headed. Please make sure that you get that. And again, I wanted to say thanks. We really appreciate foundation communities working in this direction as well. Further discussion?

>> Thank you, mayor. We're very excited about the foundation communities project and all of the other

[4:00:18 pm]

housing development projects that will result in these investments.

>> Mayor Adler: Absolutely. Further discussion on the consent agenda? Let's take a vote. Those in favor of the consent agenda please raise your hand? Those opposed? It looks like everybody is voting yes with the mayor pro tem off of the dais. I think that's all of our business, so we'll adjourn the meeting of the

Austin housing finance corporation corporation here at 4:00 P.M. And then we will go and reconvene the Austin city council meeting here on August 26, 2021, at 4:00 P.M. We'll continue to work our way through the agenda. We have two items that come to us from the audit and finance committee, item 64 and 65, chair alter, do you

[4:01:26 pm]

want to take us through those two items.

>> Alter: Sure. I'll move approval of those two items. When I get a second I will can speak to them.

>> Mayor Adler: Councilmember pool, vice-chair, seconds those. Chair alter.

>> Alter: Okay. So item 64 is from the July audit and finance committee meeting. We evaluated trustee candidates for the Koers and we choice Kelly cook who we believe will be an asset to the system and that is for place three. And also we were going to advance Kimberly Crawford and ace [indiscernible] And staff concurs with these appointments.

>> Mayor Adler: There's been a motion and a second. Any discussion before we take a vote in those in favor of this item -- these two items please raise your hand? Those opposed? They pass unanimously with the mayor pro tem and councilmember Casar off the dais.

[4:02:28 pm]

With respect to item number 66, a non-consent condemnation item, is there a motion to the effect that the city council of Austin authorizes the use of the power of eminent domain to acquire the property set forth and described in the agenda for this meeting? For the public use described there in. Councilmember tovo makes the motion, councilmember Ellis seconds. Any discussion? Those in favor please raise your hand. Those opposed? It's unanimous on the dais with the mayor pro tem off. Item number 68, a public hearing on water forward, that item I'm going to note has been postponed to September 30th. Councilmember kitchen, do you want to speak to that?

>> Kitchen: Yes, at the right time I'm fine with the postponement.

>> Mayor Adler: Sure, you can. I'm going to go on to the next item.

[4:03:28 pm]

I was just noting that it had been proposed.

>> Kitchen: I wanted to bring to the attention of my colleagues this is the item related to moving forward with the water forward changes to the code that we voted on a number of months back. I do expect it to come back to us at the end of September and I'm looking forward to it being ready for us to vote on at that time. I think it will be important and significant to take this action on moving

forward with significant recommendations on water forward. So thank you.

>> Mayor Adler: Thank you. So then let's move on then to item number 69. Councilmember pool, do you want to make a motion on 69?

>> Pool: Yes, please. I'd like to move version three for approval.

>> Mayor Adler: Version three or version two?

>> Pool: Version two was an old version that was inadvertently by staff sent

[4:04:28 pm]

and posted, so we discovered that error and so version three is the appropriate one. It doesn't change the substance of the ordinance, it clarifies that our parks director can allow future activities on future parkland in the new program under the north gateway plan. This was a mix-up on what version was in the backup.

>> Mayor Adler: Is version three in backup now?

>> Pool: Yes.

>> Mayor Adler: Thank you. Councilmember pool moves passage of version three of this item 69. Discussion. Councilmember alter? Councilmember alter is seconding the motion. Further discussion on this item? Then let's take a vote. Those in favor please raise your hand. Those opposed. It looks like it's unanimous again with the mayor pro tem off the dais. I think that then -- I think

[4:05:30 pm]

we've handled then all of those issues. Let's handle item number 111, annexation item. Councilmember alter.

>> Alter: I'd like to move for a postponement to 9-30, please.

>> Mayor Adler: There's a motion to postpone this item until 9-30. Is there a second to this motion? Councilmember Kelly seconds the motion. Any discussion? Councilmember Fuentes.

>> Fuentes: Yes, I would just -- wait. What number are we on?

>> Mayor Adler: 111, the annexation issue.

>> Fuentes: Sorry, wrong one.

>> Mayor Adler: That's okay. Any discussion on 111. Let's take a vote. All those in favor of

the postponement raise your hand? Those opposed? I'm showing it unanimous on the dais with the mayor pro tem off. That get us through 111. I think the only items we

[4:06:30 pm]

have left then are the pulled items that we have yet to address from this morning. Let's begin with item number 22. Councilmember Tovo, I think you pulled this.

>> Tovo: I did. And this is an item that I believe that Austin public health is shepherding through. It is an agreement with Austin community college to improve childcare quality improvement services and in reaching out we received the information that this is designed to assist teachers in -- in helping the staff at childcare facilities meet the qualifications for the Texas rising star guidelines. But I would like to get some information from our staff, how is that done, how many individual staff members are served? How many childcare facilities are served? If we could get a little bit more background information.

[4:07:30 pm]

I'm certainly supportive of investing in anything that improves childcare or helps to sustain high quality childcare within our community. And just would like to understand how this particular investment is helping us achieve those aims.

>> Good afternoon, mayor and council members. Donna Sundstrom, assistant director of Austin public health. What this does is to help teachers and directors that are employed in licensed childcare centers and registered homes to be able to further their education in early childhood education and by doing that it also helps with the centers moving their quality rating. Teachers -- Texas rising star program is the quality rating system that Texas uses and one of the questions that is used to determine

[4:08:32 pm]

quality is the certifications and the education that childcare teachers have and also the directors have. So by helping them further their education, that in turn helps improve the quality of care and it also helps with them moving to higher levels of the Texas rising star.

>> Tovo: A couple of years ago we had a very good presentation, maybe a couple of presentations, about Texas rising star and certification and the need for it. I'm still not understanding exactly what this investment is paying for. Is it allowing -- is it paying for the classes that staff members are taking? Is it --

>> Correct.

>> Tovo: What exactly is our investment paying for?

>> Sure. So it's helping pay for the tuition, books if needed, for the classes. So it's tuition support for the teachers, it's classes for the teachers. At the end of the program

[4:09:33 pm]

then it allows for an incentive to be provided for those teachers. After one class it's \$200 and after if they go on to continue their education then it provides an additional incentive for that. So it is actually paying for tuition support, books for them for their education.

>> Tovo: That's great to hear. Do you know how many teachers will be served through this program?

>> This program is for 33 teachers to be served through it and one of the outcomes is they would receive a grade of C or higher.

>> Tovo: Thanks for that additional information. Mayor, I'll move approval of this item?

>> Mayor Adler: Councilmember tovo moves passage of this item 22. I'm going to go ahead and second this one. Any discussion on this item

[4:10:34 pm]

22? Councilmember alter.

>> Alter: For anyone who is interested, I just want to flag that in the late q&a they provided some additional information in answer to my questions for 22 if you want a little bit more information in writing.

>> Mayor Adler: Thank you. Further discussion on this item 22? Let's take a vote. Those in favor of this item please raise your hand. Those opposed? It's unanimous for the people who are here and I'm saying that the mayor pro tem and councilmember Renteria are --

>> Kelly: I'd like to abstain.

>> Mayor Adler: -- Are off the dais and show councilmember Kelly abstaining. Okay. Let's go to the next item, item 28, African-American youth harvest.

>> Tovo: Thank you, mayor. So we approved another -- two other contracts on today's agenda with the African-American youth harvest foundation. And I'm not as familiar with

[4:11:36 pm]

this particular program that the African-American youth harvest foundation is proposing with regard to mental health resources. So I'm familiar with their other programming that we made investments in this morning or extended our investments, but if we could get some more information about the mental health resources, are they -- as I understand based on additional information we got today they would not be the provider of the mental health resources, but can you help us understand are they doing that

through a contract? How many individuals are anticipated to be served? How will they identify those who are in need of those services? We really had what I could tell very little backup information helping describe this program. And in just reflecting back on some of the information I have gotten through the years of working here and knowing about the African-American youth harvest foundation, their programming, I'm just not familiar with this element.

[4:12:38 pm]

I don't know if you asked -- I haven't had a chance to really peruse all of the late backup. So there may be some additional information in the q&a that I haven't seen yet.

>> Good afternoon, this is Nelda Fuente with Austin public health. This would be for the youth African-American harvest for the community. This is for the community, but contracting with additional providers to provide support in the ear crescent. We understand from recommendations from the African-American quality of life commission that additional mental health services are definitely needed for this priority population so this was an effort in understanding the reach and the experience that the African-American youth harvest foundation had in the community to expand services to provide mental health services in community.

>> Tovo: So do they have mental health providers on staff? Will they be hiring mental

[4:13:39 pm]

health providers? Will they be contracting with other providers and bringing them on-site? Can you help us understand how --

>> Yes, they will be partnering with additional providers. The contract has not been finalized yet so I would not be able to provide you a list of those details, but yes, they plan to coordinate and partner with other mental health services and also to provide additional training in the community.

>> Tovo: And will the services be delivered -- I know they do a lot of work in schools. Will the services be delivered in schools? Will it be delivered out of their facility? Where will the services be delivered?

>> They will be delivered some in schools, possibly charter schools, and also services at their facility as well.

>> Tovo: I'm interested in learning more about that, especially the extent to which they will be delivering services within charter schools, which

[4:14:40 pm]

unlike our public schools may not be providing those kind of services on-site. So I think that bears some exploration and I'd like some follow-up information on that, please. As you negotiate this contract could you please come back and let us know how this program is shaping out, please?

>> Yes, we will.

>> Tovo: Thank you.

>> Mayor Adler: Thank you. You know, we don't pick vendors from the dais here, but the contract has now gone to staff and been vetted this way. I had the opportunity to meet with African-American youth harvest out in the field when they were giving vaccinations out to the community. Just a real trusted voice in some communities that are hard for us in government to reach too. And I'm real appreciative of the work that they do and the work in the community. Is there a motion to approve this item number 28? Councilmember tovo makes the motion. I'll second that.

[4:15:43 pm]

Any discussion? Those in favor of this item please raise your hand? Those opposed? It's unanimous of those who are here. Not with us are the mayor pro tem and -- we're making a vote, right? The only ones that we have not here with us is the mayor pro tem? Others voting aye, item number 28 passes. That gets us then to item 101. Councilmember tovo.

>> Tovo: Again, there may be additional information in the q&a that I've missed, but in looking at the backup information, clearly these are very, very important investments to be making in our community. From the backup that is posted with our agenda, though, I'm not really understanding the extent of the program, what kind of

[4:16:44 pm]

outcomes are anticipated, how we're measuring success with these programs. I notice that we've certainly funded several of the groups in the past for similar programming. There is one change in the past. Can you help us understand a little bit more -- can you talk to us a little bit more about the program and what success looks like within those programs and how we're measuring that success, please.

>> Good afternoon, mayor and council. I am Cindy Gamez, I'm a program manager over early childhood and youth development services at Austin public health and I'd be happy to provide additional information. These services are for juvenile delinquency prevention. This is a state grant from the Texas department of protective and family services, the early

[4:17:46 pm]

intervention services. It is to provide juvenile adolescent wentcy and protect youth offenders that are associated with juvenile delinquency. So we have state mandated measures that speak to that part of your question to serve 1200 youth annually in the 78744 dove springs community. Then there's a state mandated outcome that 100% of the youth will not be engaged in delinquent -- in juvenile delinquency behavior. So since it's a prevention program that's a critical factor for this grant for the

state.

>> Tovo: That's really very helpful. Thank you very much. I don't have any other questions. Since it serves 78744, council member, you may want to make the motion and I'll be glad to second.

>> Mayor Adler: Is there a motion to approve this item? Councilmember Fuentes makes the motion to approve item

[4:18:47 pm]

101. Is there a second to that? Councilmember tovo will second. Any discussion? Councilmember Fuentes?

>> Fuentes: Really quick, I wanted to say I'm happy to see this move forward, to see this type of program in the dove springs community. You know that it will go a long way in dove springs and I'm looking forward to the work that is done and especially love hearing that the outcome is to have 100% presentation. So -- prevention. So my team, we'll keep up with staff and we'd love to participate in some of the programs that are developed in the neighborhood.

>> Sounds good. Thank you, council member.

>> Mayor Adler: Great. Let's go ahead and take a vote. Those in favor of this item 101 please raise your hand. Those opposed? Those abstaining? I'm showing it being unanimous. Everyone who is here voting with mayor pro tem off of the dais. Thank you. That gets us to item number

[4:19:48 pm]

102. Councilmember tovo, I think you pulled this one as well.

>> Tovo: I did, thank you. And I'm very supportive of this. Let me say this at the outset because I know that I think one of the other council offices had a question about why I pulled it and then we started hearing from community community members. There's no concern. I'm going to vote for it. I'm supportive of safe gun storage as our council has taken several positions on that, including an affirmative vote for a gun storage resolution that I brought forward in 2016. So what I'd like to understand is how this fits into, and I believe councilmember alter has in really her substantial work on preventing gun violence also had some gun storage direction. What I'd like to understand is how this fits within the gun storage and the gun lock

[4:20:50 pm]

and the education about gun safety work that APD is doing. Is this supplanting that work? Is it going to be done in coordination? How are these two programs co-existing?

>> Again, I am here again and if there are any questions. So this is in collaboration with the Austin

police department and the work that they are doing. This particular funding that was being used was to distribute gun locks and gun safes in the community. So completely intend to collaborate with APD as applicable and appropriate to distribute gun locks and gun safes to the community, in addition to also providing gun education. Safe education around guns.

>> Tovo: So will there be different events, like are you going to divide up the kinds of events that you are typically located at so that you are both doing the same work at different community

[4:21:51 pm]

events? How is -- how is that --

>> The initial plan was to actually do a gun lock distribution at the aid back to school bash. Given that that was canceled, we are now revamping how those locks will be distributed and the safes will be distributed. So we will be working collaboratively with APD on the distribution so that we are collaborating and not supplanting each other's work and working together.

>> Tovo: Okay, terrific, thank you. I want to put a call out. We had asked -- we've gotten different information about how often this happens, but the original council resolution from 2016 did ask that the educational materials created by the be smart campaign be distributed because they're just so valuable. And so I would just put that forward for your consideration as well. I think those particular - that particular body of literature is just really helpful to help parents know how to approach other

[4:22:54 pm]

families about whether or not they have guns in the house. And if so, if those are safely stored. Anyway, thank you very much. As I said, I'm super supportive of additional gun safety measures from education to gun locks and certainly I'm happy to see this contract on there. And also happy to know that it will be expanding our efforts and not in that area. So thank you.

>> Thank you.

>> Mayor Adler: Is there a motion to adopt this item 102? Councilmember Ellis makes the motion. Councilmember alter seconds the motion. Any discussion? Councilmember Ellis.

>> Ellis: Thank you, mayor. I really appreciate getting to hear a little more about the program. I would love for my office to be kept in the loop about when those are happening so we can get the word out and make sure that people have access to that information. Some of us also represent school districts that are aid plus some of the other

[4:23:54 pm]

school districts that we have locally. So we want to make sure that all families certainly have access to that. I know in district 8 in particular there are issues with burglary and theft and sometimes firearms

are stolen out of vehicles and that is a problem we're trying to keep our eyes on in southwest Austin as I'm sure others are. I certainly appreciate the hard work of councilmember tovo and councilmember alter on this and former mayor pro tem Delia Garza. I know she had done some work on gun locks as well. So I'm happy to see this move forward.

>> Mayor Adler: Councilmember alter.

>> Alter: Thank you. I think this whole dais is committed to addressing gun violence and I really appreciate the work of councilmember Ellis on this and councilmember tovo and scar and -- Casar and others this is something that we can address and this is a piece of that.

[4:24:55 pm]

While we're here given that you have to retool and rethink given that the aid bash didn't happen, I wanted to remind you of an idea that I think we discussed with you in the room, which is to -- maybe it was just with Michelle, I don't remember, but to consider how we might bring in our family of physicians and pediatric doctors into the conversation about distributing these gun locks and the education process, just as they hand out books and do other things, I think this is an area where they may be able to assist in interesting kinds of ways. So I just hope that you will consider that and engage in some of those discussions as you're thinking about the next steps. But I'm really pleased to see this move forward.

>> Yes, council member, definitely top of mind on different ways to distribute in different avenues using a public health approach.

>> Mayor Adler: All right. Let's take a vote. Those in favor of this item

[4:25:56 pm]

102 please raise your hand. Those opposed? Councilmember Kelly is voting no: Others voting aye. And off the dais we have the mayor pro tem. This item passes. That gets us to our final item and then I'm going to take a personal privilege moment here, but before we get there, the last item, item number 108, I pulled this item, councilmember tovo,. You and I and this entire council, huge proponents of childcare and quality childcare in the city wanting to be sure that we're doing an even better job than we've done, really prioritizing this to the community and wanting to make sure that we take advantage of every opportunity. I did want to give staff the opportunity to come back if something didn't work, even though it wasn't feasible. You and I both agree that leash should be a short one

[4:26:56 pm]

and I had proposed some wording, you've proposed an alternate to that and I am fine with the alternate that you proposed to me. Do you want to make a motion, councilmember tovo?

>> Tovo: I would. I'm going to move approval of this item and I have a few comments but I'll save those

for after I get a second. I'll move approval with the additional language -- let's see how best to do this. In the area where the mayor approved -- okay. Beginning at line 82, adding the language "Or not recommended for documented reasons such as proximity to other high quality childcare facilities. "

>> Mayor Adler: So the motion is with that language in place of the language that I had handed out for

[4:27:59 pm]

Adler amendment one, I second your motion. Discussion? Councilmember tovo.

>> Tovo: Yes, thank you. I'm really excited about the possibility that this will be moving forward. I hope you all will support it. You know, we had a situation several years ago where we had a brand new building being built for the city of Austin. There was a lot of will and support and direction from the council to create a childcare center at the highland campus at our planning and development building at the highland campus. And indeed, there was even space there. And as the plans unfolded, there was not money allocated within the budget for that facility in the final opening. I regard that as a missed opportunity. We've had conversations at several points now about city-owned tracts and development projects that have come forward for council consideration.

[4:29:00 pm]

Health south was one. We had a similar conversation with the St. Johns development. We have been putting in those requests for proposals, those requests for -- requests for proposals. We've been putting childcare as an option we would like developers to consider, but we really haven't been making it a requirement. So this direction would really set up our directions to the manager on both of those fronts bodies in projects that are in city buildings and -- both in projects that are in city buildings and city facilities as well as the tracts that are city owned where we've invited proposals from the private sector or partnerships from the private sector. So I think this is a really important direction. It is - I was really taken by the neighbor about how long it took to get the Ryan drive project and the neighbor and families report. The group on childcare asked

[4:30:01 pm]

us to recognize childcare as an economic development issue and to really prioritize it and to work as a city on policies and we are I think just in recent years getting to the point where we're doing that. It's taken awhile while, but I'm excited about the work that we've done as a council in both investing in childcare and this is I think an important piece of that. So my -- Ashley Richardson on my staff has really worked extensively on this over the last several months. It's been percolating for a while, but has worked extensively over the last several months and I want to give her real thanks. She has worked with lots of community stakeholders as well as city staff. So I also would be remiss if I didn't recognize some of those city staff in Austin public health, our real estate department, our community group success by six, early matters, greater Austin and the early childhood council, our volunteer board that advises the city council on these

[4:31:01 pm]

issues. So thanks to all of those folks for participating and helping shape this.

>> Mayor Adler: Councilmember Tovo, thank you for your work on this. It did have a real stated priority of the entire dais and then the council when we were designating uses of the arpa funds and trying to get transformative work done, childcare was listed as one of the three items in the motion that I brought that was ultimately adopted. And I think that this is consistent with that push recognizing the importance that childcare has in our city and our city's recovery and giving everyone an opportunity. Any further discussion on this item before we vote on item 108. Let's take a vote. Those in favor please raise your hand. Those opposed? Councilmember Kelly is opposed. Others voting aye. The mayor pro tem off the

[4:32:05 pm]

dais. Colleagues, before we adjourn the meeting, I think we've finished all the business. This morning we announced something pretty tragic, the loss of the first of our law enforcement officers to die of covid. You hope when you point out something like that you hope it's a long time before you have to go back there again. But I want for us to take another moment of silence before we adjourn to recognize that senior Sergeant Urias has succumbed to the virus just a few moments ago here in the city. And I want to thank the senior sergeant for his work he's done, his service to

[4:33:05 pm]

the city of Austin. Our thoughts obviously with his family and with the entire force. I also want to parenthetically apologize when I found out about this a little while ago I tweeted out that appreciation and left out the officer's rank, and I apologize for not crediting the senior sergeant with the rank he had obtained. Let's go ahead if we could and take just a moment of silence. Okay. Please, everybody, stay safe. Please consider availing yourself of the opportunity to get vaccinated and tested, please wear masks in the city.

[4:34:07 pm]

With that at 4:33 P.M., this meeting of the Austin city council is adjourned.