

City Council Regular Meeting Transcript – 12/09/2021

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[9:32:15 AM]

>> Mayor Adler: All right. Sounds good. You know, usually when I'm giving these distinguished service awards a lot of times they're going to people that are public servants and that's their job. These are people that have long-standing history in a department or that kind of public service, but I think that today we're honoring a similar but different kind of public service. An investment in the spirit and the culture that is the community helping to shape things that are really special about this place and carry that forward. And I love that today I have the ability to give a diguished service award in that context to Roma. So here it is, this is a city of Austin distinguished

[9:33:15 AM]

service award for having been an exemplary ambassador for Austin at all 34 Austin fc inaugural campaign matches, home and away. In 2021 we thank her for exemplifying the values of the has verdes and the Austin fc community. Roma desai is deserving of public acclaim and recognition. This is is given in appreciation thereof in the ninth day of December in the year of 2021, signed by Steve Adler, mayor of the city of Austin, on behalf of the city council. Important recognition well earned. Thank you for promoting the team and the team insofar as it promotes the city. Thank you so much.

[Cheers and applause]

[Cheering]

[9:34:25 AM]

[Applause].

>> Mayor Adler: Do you want to say something while you have the camera?

[Laughter].

>> I just want to thank everyone that's here, everyone that's part of the Austin soccer community, Austin community, las Verde, my brother is here. And I couldn't have -- it's been fortunate for me to have gone to all these games, but I couldn't have done it without the support of this community and I wouldn't have wanted to do it without this community. It's been an amazing ride and I can't wait for the next season. And just this community has been everything for me. So thank you to Austin and thank you, mayor Adler and the city. I really appreciate it. And go Austin fc!

[Cheering]

[Applause].

[9:35:28 AM]

>> I just want to say thank you so much for your support for helping to bring the team here and what it's meant for the city and for us in particular is -- has been amazing. I remember one of the things you said was that you wanted the stadium to be a place where everybody could be together and this community and what Austin habitat for humanity the most diverse, inclusive, creative, exciting place, and I said if I got up here I was going to say it's also magical. So thank you for everything and thank you, Roma, for exemplifying it all for us. It means a lot.

[Cheers and applause]

>> Mayor Adler: It truly is one of the things I'm most proud of in the term and for helping participate, but this was actually delivered by the people who were there at 2:30 in the morning.

[Laughter]. And one of my most favorite things about the entire season is the 7-4.

[9:36:30 AM]

Did you want to get a picture staged definitely? This thing is kind of in the way. Do you want us to move to a corner?

[Taking photographs]

[Applause].

[9:41:01 AM]

>> Mayor Adler: We have an important proclamation today to recognize dedication of December 1st. The proclamation, be it known that whereas world AIDS day began 33 years ago on December 1st of 1988 and continues to be an important way to commemorate the extraordinary advances that we've made in the battle against HIV. And to remind us that HIV has not gone away and that much more has yet still to be done. And whereas in the Austin area there were 247 new HIV cases in 2019, and of the 68 people living with Austin in the Austin area it's known

[9:42:02 AM]

that an additional 110 are unknown of their status. And whereas it steers response to the HIV crisis and ensure the best care for the community, the HIV planning council along with the Austin alumni chapter of the delta sigma theta sorority incorporated support the efforts of the community in, but not limited to the fast track cities and ending the HIV epidemic initiatives. And wishes to complement local efforts with our comitment to educate, advocate and support ending the HIV epidemic. And whereas the HIV planning council, the Austin alumni chapter of the delta sigma theta sorority city of Austin and Travis county are committed to ending the HIV epidemic by 2030. Now therefore I, Steve Adler, mayor of the city of Austin, Texas, do hereby proclaim December 1st of the year 2021 as world AIDS

[9:43:03 AM]

day in Austin.

[Applause].

>> Mayor Adler: We have some words here.

>> This is a real important - you want to go ahead? You go ahead.

>> Good morning, mayor and thank you for this opportunity. I'm robin Blackmon, president of the Austin alumni chapter of a sorority. World A.I.D.S. Day is one of our initiatives from our grand chapter. We were founded in 1913. Our local chapter has been here in the Austin area for 90 plus years. We have been working with all of the efforts in AIDS for a long time and we are definitely excited to partner with the city and with akisha to make sure that we make a difference and make a recognizable it in this community. So, thank you for this proclamation, partnership, and commitment, and we look forward

[9:44:04 AM]

to continue fighting with the city and this effort. Thank you.

>> Mayor Adler: Thank you.

[Applause]

>> Good morning. I'm Barry waller. I serve on the HIV planning council for the Austin area. And Mr. Mayor, I want to thank you for the proclamation and your work. You will remember a few years ago you signed on to the Paris accord about ending the HIV epidemic. I will tell you that we're hard at work. The community is hard at work, really looking at how we can do that and working on systems and processes to make that come reality. I want to thank you for that. Also the good news today and the days to come is that HIV does not have -- A.I.D.S. Does not have to be a death sentence.

[9:45:04 AM]

Many people -- we are now seeing a generation where people will not die from HIV or A.I.D.S., but will die from old age. And that's the good news about where we are in our city as well as in our country. So, I want to thank you again for your commitment to this cause. Thank you.

>> Mayor Adler: Thank you.

[Applause]

>> I forgot one thing.

[Laughing] As I -- tonight at 6:30, we will have a zoom virtual A.I.D.S. Awareness activity. If you check our social media, our Facebook page, Austin alumnae chapter, please join us in this important conversation as we join in the fight to educate and support the efforts around HIV and ending this epidemic in our community.

[9:46:06 AM]

[Clapping]

>> Thank you.

>> Take a picture?

>> Yes.

[Laughing]

>> Ready?

>> Thank you.

>> Thank you. 🎵🎵

[9:48:38 AM]



[9:55:41 AM]



[10:07:53 AM]



[10:09:05 AM]

[music]

[10:19:24 AM]

>> Mayor Adler: Today is December 9th, 2021. This is the Austin city council meeting. We're holding this meeting here at Austin city hall. I don't think we have anybody participating remotely, is that correct? We have everybody here. The people off the dais right now are councilmembers Renteria, and councilmember Kelly is here. I want to make sure that we don't have councilmember Renteria participating remotely. He's in the hallway. Great. Thank you. We have obviously everybody here, so we can proceed. Colleagues, I'm going to read in the changes and corrections into what we have. Item number 9 is being postponed to January 27th. And that's how it will be on the consent agenda. Item number 39 is being

[10:20:28 AM]

withdrawn. It will not be on the consent agenda. Item number 60 adds two more council sponsors, Fuentes and tovo. Item number 62 adds councilmember Kelly as a sponsor. We have some items that have been pulled by colleagues. Number 8, pulled by councilmember Fuentes. Number 14 has to be taken up after the public hearing on item 69. Item 44 has to be taken up after item 90. That can't candlewood hotel up before 2:00 P.M. Items number 45 and 49 have been pulled by councilmember Casar. Item number 62 pulled by councilmember alter. And item number 64 pulled by the mayor pro tem.

[10:21:29 AM]

We have some late backup in items 6, 8, 9, 13, 47, 55, 62, 63, 64, 67, and 69. Councilmember alter is pulling item number 60. Item number 60 pulled by councilmember alter. Okay.

>> Kitchen: Mayor, I will have a very quick question on 57.

>> Mayor Adler: On 57, okay.

[10:22:32 AM]

>> Mayor Adler: Okay. I urge everybody that has amendments to post them so that council and the public can see them. I think we have amendments that have been posted on 62 and 64 that I've seen. On item number 68, housing finance corporation, what's been posted, but not handed out, I'm now handing out, is a direction on item number 68, I'm going to vote in favor of the item in the Austin housing finance corporation, but I will try to add the direction that's been handed out, and then posted. All right, colleagues. We have speakers this morning, and this afternoon.

[10:23:32 AM]

They're going to be three minutes each, speaking time.

>> You can try that.

>> Mayor --

>> Mayor Adler: I want to -- yeah, go ahead.

>> I'm sorry, I'm passing out a motion sheet right now. I don't want to pull the item, but I wanted to add direction on item 56. 56 if we could pass that on consent, that would be great.

>> Mayor Adler: Okay. We'll let everybody take a look at that. We'll leave that on the consent agenda right now. If anybody wants to discuss that, they would need to pull item 56. Councilmember pool.

>> Pool: Just real quick, we need two more copies of councilmember Kelly's motion at the end of the dais. Thanks.

[10:24:36 AM]

>> Mayor Adler: Okay. Those are the handouts for the dais. Thank you. All right. I think we can work through the agenda today, colleagues. I'm going to need to leave the meeting today at 5:15. Hopefully we can get done by then. Otherwise I'll be gone. Does anybody want to say anything before we pull up speakers?

>> Casar: Mayor.

>> Mayor Adler: Councilmember Casar.

>> Casar: I pulled 45 and 49. I'm going to have an amendment sheet here to pass shortly, but as your team tries to think of what items might be short and which might be longer, this one may not be that short.

>> Mayor Adler: Okay.

>> Casar: We're going to

[10:25:37 AM]

discuss them together.

>> Mayor Adler: Got it. In executive session we're going to discuss --

>> Mayor.

>> Mayor Adler: Yes.

>> Harper-madison: I have something to add. It's not about the agenda. I'm going to take a moment of privilege.

>> Mayor Adler: I'll get back to you.

>> Harper-madison: Thank you.

>> Mayor Adler: On the -- we're going to do an executive session on -- over the issues we wanted to do, tizr and personnel today, so we'll do the executive session on tizr before we consider that item. All right? What?

[Off mic]

>> Mayor Adler: In executive session. We'll do that one first, get that done. We will be in executive session hard -- beginning hard at 1:00 to 3:00 today. So wherever we are at 1:00, we're going to go into executive session on personnel. That's going to be set hard

[10:26:38 AM]

start for the executive session. And we'll discuss personnel at that point. If we can do executive session on tirz before that we will, if not, tirz will be later, okay? I was going to point out, mayor pro tem -- I don't -- if you wanted to speak before I did, I don't know.

>> Harper-madison: I'll follow.

>> Mayor Adler: All right. I want to just recognize the mayor pro tem's service as mayor pro tem this year. And I want to thank you for your support to the council during this period of time. I'm not sure everybody sees the work that sometimes happens behind the scenes in prep, and organizations. And you've been a real assistance in that regard. I also think it's been real significant this year to be able to introduce you and talk about

[10:27:39 AM]

you in the wider community as the mayor pro tem. I think, as a woman of color, a black woman in this period O time when so many conversations are being held about systemic racism, about institutional barriers, our community being able to see you in this role, I think, that has been important generally, and certainly to young people that are trying to figure out what kind of possibilities or opportunities are available to them in the world. But I think it was real important to you in this position and I want to thank you for your service to this city in this regard. I'm going to recognize you for your point of personal privilege.

>> Harper-madison: Thank you. I appreciate that. And maybe I should have gone first, because you took all my

[10:28:40 AM]

talking points.

[Laughing]

>> Harper-madison: It didn't occur to me until this morning when one of my kind colleagues brought me a present that this is the last one, right? It really hit me. And it occurred to me earlier this year, I was talking to my aunts, they're all so proud. Tasha, I just can't believe you're up there on that dais. They're

so proud of me. And I love it. And it occurred to me during the course of one of those gushing sessions that I, little old me, not an academic, not a politician, I went to public schools and did my best, grew up in the projects -- I am sitting up here on this dais and the 11th-largest city of the nation as the mayor pro tem. I'd like to say that Austin is Progressive in a lot of ways. And I'm really proud to be a part of a council that was Progressive in that way, because regardless of how we interact

[10:29:40 AM]

with one another up here, I'm up here. And people are watching us -- young people. To your point, mayor, young people are watching us -- young people of color, who nobody ever told that they could do this, they're watching this and they know that they can because I did. And I'm really, really, really thankful to have had the opportunity. Thank you for the moment.

[Applause]

>> Mayor Adler: Thank you. All right, colleagues, then we'll go ahead and start calling speakers. We're going to call the in-person speakers first and then we'll do the remote speakers. Everybody has three minutes. You can speak on one or more items if you wish. The first person to have three minutes to speak, I think is

[10:30:40 AM]

Samuel. Item number 14.

>> Mayor Adler: I'm sorry? Yes, you may.

>> Perfect. Thank you. My glasses get foggy. Good morning, I'm a resident of district 3. While I do serve as the chair of the south central waterfront advisory board, these are my views only. I'd like to commend our city staff for putting together a plan for the tirz in such a short timeframe. I recognize the immense level of work this involves. They've done a great job putting together such a complex document. My main concern with this document is the lack of mention of affordable housing. The south central waterfront vision plan adopted by the Austin city council in 2016 clearly outlined a 20% goal for affordable housing in-district. However, the project and

[10:31:40 AM]

financing plan presented by staff has no mention of affordable housing. It does not speak to the 20% affordable housing goal or allotting money from the tirz funds collected to reach our affordable housing goals. Chapter 311 of the Texas local government code clearly outlines the use of tirz funds for

affordable housing, either in-district or anywhere in the city, so the lack of including this is very concerning. We all know the unfortunate housing crisis we are facing. For us to be using every tool in the box to tackle this problem is very concerning to me. I respectfully request that council direct the city manager to include some funds for affordable housing even if it is just a blanket amount. My last comment concerns the governance structure of the tirz and the implementation of the south central waterfront. It has been my understanding that the corporation will be the structure for projects collected from the tirz, although not specifically stated in the tirz project plan, I would imagine

[10:32:40 AM]

the \$300,000 administrative fee is being used to cover those costs. I would ask that you look at the plan put together by the original consultant, who helped structure the aedc. It calls for more money than that. In order for this plan to work we're going to need great staff and boots on the ground to implement these projects. Projects that will fund the tirz so as not to short-change staff and make sure we have the right amount of money allocated for them to succeed. Thank you very much, and have a wonderful day.

>> Mayor Adler: Thank you. Sir, just so -- I want to respond real quickly to what you said on this item.

>> Before -- I understand there's been discussions and this might have been redundant and there's some changing.

>> Mayor Adler: No, what I was saying is this. We had asked for the tirz to be set up this calendar year so that we could lock in the availability to get certain values. We're going to pass this today, I hope, or on Monday the 20th,

[10:33:43 AM]

but I want you to know my vote is not an endorsement for any particular element of the plan. I saw this as more a placeholder tool to be able to lock in values with the full anticipation that we would be discussing every element of this plan in a deliberate way -- the percentages, the geographic area, what's in, what's not, what is included as the public infrastructure that needs to be -- all those questions. So my "Yes" vote on this today or on next Monday shouldn't be read as an endorsement as to any of the elements, because I think before we can make a decision on any of the elements, we actually have to have a full discussion about them, including the affordable housing element. So I just want you to know that this is just -- for me -- it's just to lock in the value. I fully anticipate and will request, for my part, a full conversation next year on all of

[10:34:43 AM]

these.

>> Thank you very much for that clarity. May I respond?

>> Mayor Adler: Yes.

>> I'd just like to say I understand there's a lot of nuances that go into this plan and a lot of other things we need to be discussing. However, in the tier one, two, three costs outlined in the plan, neither one of those include affordable housing. And for us not to include that as one of our goals that we're going to allot money to says a lot about what we're doing with that money and the direction of that money. It's important to allocate some funds. The affordable housing crisis is super important, make it known we want to spend money for affordable housing at this juncture, it's super important.

>> Mayor Adler: I hear you. For me, I'm not looking at any of those elements, whether it's in or not is not --

>> Understood.

>> Mayor Adler: Not material.

>> I appreciate -- tirz.

>> Tovo: I appreciate you being here today and all the conversations you've had through the years with my staff. You're a tireless advocate and

[10:35:45 AM]

have put a lot of energy behind the south central waterfront. I appreciate it. I'm not sure we would be at a place today where we're moving forward without those of you who have really continued to see this the vision for that area. I want to make sure that you know -- I am planning to make an amendment to make sure that affordable housing is in that tier one. I agree with the mayor. We have opportunities to revisit this in the months ahead, but whether we pass it today or on next Monday, I agree with you completely that affordable housing belongs in that tier one if we're going to set that as a very clear benchmark for the kind of development that we expect in that area. And I think I'm bringing one related to water infrastructure, but for sure the affordable housing is something I'm going to propose to my colleagues and make sure it gets included.

>> Thank you. I appreciate your support.

>> Mayor Adler: Okay. Thank you. Yes. Councilmember alter.

[10:36:46 AM]

>> Alter: I just wanted to flag that I need to pull item 4, please.

>> Mayor Adler: Pull item 4. What is that item?

>> Alter: It's an ser request, and I will likely request postponement.

>> Mayor Adler: Okay.

>> Mayor Adler: Okay. The next speaker that I see -- I'm not sure I'm working off the right thing or not, so let me know if I'm in the wrong place. Item number 55 I think has Scott Strickland.

>> Kitchen: Mayor.

>> Mayor Adler: Yes.

>> Kitchen: I support councilmember alter's pulling

[10:37:48 AM]

item -- I think she said --

>> Mayor Adler: 4.

>> Kitchen: I would like to pull 3, too. They're related, 3 and 4.

>> Mayor Adler: Okay.

>> Good morning.

>> Mayor Adler: Good morning.

>> Councilmembers, mayor pro tem, mayor, city manager, speaking on item 55 in regards to boards and commissions, and I currently serve at the pleasure of councilwoman Ellis on the music commission. As you know, one of the tasks is to recommend executing legislation on the live music fund and several working groups have been formed as a result. As the commission and the working group have continued their work, it's become apparent that there are lobbying efforts by members of the commission and from outside sources to tilt the scale in fair favor,

[10:38:51 AM]

circumventing efforts to make recommendations to you. Part of this is politics, but I am here to tell you right now that these actions have a small and granular, they're undermining the work this commission was set oo do. So today I am here to kindly ask if there is anyone from any entity that is red river cultural district or from music makes Austin, anyone from music makes Austin as a whole or if there is any other entity that is in your ear speaking about the work, that this commission is doing, negating the work and asking for their own policies to be implementing. I would kindly ask that you refer them back to the music commission so that we may hear their concerns and address them accordingly. If commissioners

are in your ear, I would ask courage that those commissioners share thoughts with the working group. While we are attempting -- what we are attempting here has never been done before. Therefore, it is of the utmost

[10:39:52 AM]

importance that this commission take all things into account when it comes to making decisions about how these funds get spent. And I assure you we will do just that. In the meantime, we need time over the holiday to suss out all the concerns and make sure that all voices and understand the needs of both venues and musicians. We need time. You can support us in helping make proper recommendations to you by allowing for those that are speaking to you to relay those concerns to us. In addition, if there are things that you know about, if there is information that you may find pertinent to us making our decision, we welcome you to also talk to us. Again, at the end of the day, we need to make the absolute best decision that we can with the information that is available. Thus,ly, we welcome your concerns as well. Thank you so much for your time.

>> Mayor Adler: Thank you.

[10:40:58 AM]

I think the next speaker we have is Greg Anderson. Mr. Anderson, you can speak on 56 or any other items.

>> I will speak on 56 and 64 today. It feels a little bit like we are working on the titanic while laying on the bottom of the atlantic ocean every time we crack open the land development code, but I'm glad what we're trying to focus on appears to be housing. So, start with the Adu item. Really great that we're going to open up nccbs in areas where somebody can have a 10,000 square foot lot worth a million dollars and all they can build is a 4500 square foot single-family high school. That exists in allandale and other places in Austin where we don't allow ads. We can promote ads and we can allow them. Today we allow them barely, but imagine if we promoted them,

[10:41:59 AM]

which is not quite where this resolution gets us. I sent you guys a lot of feedback from groups that build a lot of ads. It would be great if we could incorporate some of that. Right now this chart, a family of four earning 100% mfi can afford a home today, as long as they're showing up with 300,000 in cash. So let's look at -- this is item 56. And for some reason -- this is not allowing us to build anything except sprawl. We allow this compatibility to trigger on these transit corridors. Imagine this is is a bmu2 development. Thank you for initiating that. Along any major corridor. Look at the housing units we lose on these

corridors thanks to trying to protect the least affordable product today, a single-family home in central Austin. So, compatibility, again, just a

[10:42:59 AM]

100% unsustainable thing that costs us so many thousands of homes. This is it. If you try and hit 60 feet on a major corridor you can't even try. Then, bmu2, good luck. We are leaving 3% of our sites hitting bmu2 but we want housing and yet we say we're opening with housing on the corridor, but with compatibility this just doesn't quite add up yet. So this is if we had a 100-foot setback. The new land development code was going to make it to where we wouldn't have this. We'd have transitional zoning and allow for missing middle housing, which would allow more forms of housing that are accessible to a broader range of income earners that we haven't figured out how we're going to do that as a city. So, next slide. Maybe yours works better than mine. Okay. Thanks. So, the single-family zoning, you know, it's kind of crushing all of our corridors with this

[10:44:00 AM]

rule of compatibility. Slide -- so, we've produced housing at a great rate until the 1984 code and it's fallen off since then, counted per thousand. Our first Latino councilmember predicted what would happen if we try to go low density in the city by zoning. We were going to do what we did.

[Buzzer sounding]

>> We zoned out a lot of people and it would be really great if we could change this. So as long as we have compatibility, we can't. Thanks.

>> Mayor Adler: Thank you. All right. Next speaker is Manuel Jimenez. Is he here with us? No? What about Maxwell Cowen?

[10:45:03 AM]

Maxwell Cowen? Okay. What about Rita Wallace? No? Okay. Paul Robbins, why don't you come on up.

>> Good morning, council. My speech regards item 65, which sets a hearing for center point energy to ask city council for permission to waste money on green-washed marketing programs masquerading as energy conservation. First, understand the context. Natural gas utility companies

[10:46:04 AM]

nationwide are under substantial pressure to reduce their carbon footprint. Theoretically, this is a good thing. In practice, some of these utilities are promoting green-washing in a hail Mary attempt to prove they're doing something. With energy conservation, center point is promoting expensive appliances that will rarely pay for themselves in residential settings. And they are doing lth rate-payer money skimmed off the bill. With renewable energy, utilities are promoting expensive pilot programs for renewable natural gas that even in the best case will have marginal participation because of sky-high prices and low resource availability. Council has the ability to stop this. Second, you will be told that this is just a small pilot program.

[10:47:05 AM]

Again, think of the context. Other cities look to Austin as a model for conservation. We have done it for almost 40 years and done it well as a role model. Austin should reject frivolous conservation spending before it's ever started. When environmentalists promote green-washed programs like this, we look foolish to the general public. I want to make clear that I was hoping to avoid this particular controversy. I personally attempted to contact a centerpoint executive twice to recommend constructive ways this program could be changed. He would not respond. Also, I want to make clear that this utility proposal is a continued failing on the part of the city's regulatory office. The office is already allowing Texas gas service to misspend

[10:48:08 AM]

\$1.8 million a year on green-washed conservation programs. We don't have to repeat this mistake. Thank you for your attention.

>> Mayor Adler: Thank you. So, I'm seeing the consent agenda being items 1-66 today.

[Off mic]

>> Mayor Adler: I didn't see you on my list, but why don't you come down, sir. I'll let you speak on those items. I don't know if you were signed up to speak virtually for 42 and 47?

>> Yeah, I did.

>> Mayor Adler: Okay.

[10:49:08 AM]

>> I have witnesses.

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

>> Mayor Adler: Thank you. Good afternoon.

>> Good afternoon, M mayor. The halls of justice over here, it's great to be back ove here and I'm hoping that I will explain exactly what I mean about the items on the agenda that I am here to speak on. Number 42, approve a resolution authorizing the extension of line of duty illness, leave of absence for Austin firefighter department. Mr. Andrew Thomas, this gentleman is an asset to the city of Austin and to his family. He needs help. Give it to him, please. Give it to him and expeditiously, please. Item number 57 is dealing with resolution directing the city manager to ex-morth the establishment of a veterans and military affairs office, identify possible funding sources for the office, and return to council with a report

[10:50:08 AM]

before April 20, 2022. I know you have money over there. I don't have money. I wish I could give some to this. This is very important for us veterans to have an office now as big as Austin Texas is big now, and is known nationwide, we don't have a good veterans office to go to. I have to go somewhere else and I go to seguine and other places north, and it is a terrible, terrible journey. So what I'm saying right now is this. Please support it expeditiously, please. Item -- we can do better about affordable housing. Casar, I hope you get elected. There's a couple other people here on the dais, the first time I worked on your campaign,

[10:51:08 AM]

mayor. Last time I was against you, but 38,000 is damn good. What I want to say is this. Please, the community, the city of Austin residents, the poorest of the poor need true blue affordable housing. Just don't talk, we're going to do this. No. Do it. There are people on the streets right now that deserve affordable housing with wraparound services so they can survive. Mayor, thank you for allowing me to speak. It's great to be back over here. And I just feel for the community and I'll be here for the community until the day I die and I know I have good death services, so I'll be leaving Earth when god wants me to. City manager, when I need to

[10:52:09 AM]

speak to you, don't just run. I'm not going to hug and kiss you, okay? The issue is this. We now need everybody, cohesively.

[Buzzer sounding]

>> Thank you very much. It's good to be back.

>> Mayor Adler: Good to see you again. Any other people that signed up to speak here in person today? Am I missing any names of people in person?

>> Mayor, we have a few from hfc, speakers for in-person.

>> Mayor Adler: Okay. All right. I'm going to go ahead and recess the Austin city council meeting now at 10:52 here on December 9th, 2021. I'm going to convene the Austin housing finance corporation directors meeting here on December 9th, 2021. We're in the city council chambers, the time is 10:52 and all the directors are present. We have some folks that have signed up to speak to us today.

[10:53:10 AM]

I'm going to call those people. Speak on item number 1 was Steve hiraz, quiraz. Come on down, sir. You have three minutes.

>> Good morning.

>> Mayor Adler: Good morning.

>> I'm here on behalf of gndc. That organization has done wonderful things for me and my family, and for the neighborhood that we are in. And -- back up 100%, because all the people that live on my street, which is father Joe, we actually know each other from way back when we were younger and we were still living with our parents. I grew up and was born in the east side, and I think it's a

[10:54:11 AM]

wonderful organization. And hopefully y'all can refund what they need to go forward. I met the mayor over there, when they handed us the keys, and hee he knows wh it's all about. I'm a little bit nervous. I was raised and born in the east side, and I live maybe eight blocks from where I was born and raised, which is wonderful. And most -- some of my friends live on that street, some of my son's friends live on that treat, and daughter's, and that's a good community there that we live in, because we look out for each other and everything as well. And I just want y'all to please keep re--funding hem for what they're doing. Thank you.

[10:55:12 AM]

>> Mayor Adler: Thank you. All right. And then speaking on item 2, Walter moreau.

>> Thank you, mayor. I'm Walter Moreau, executive director of Foundation Communities. We're super excited about the Hill site, item 2 on the Austin housing finance agenda. It was competitive, but we are really committed to building the highest quality affordable housing for families. We're mostly building two and three-bedroom units, which we think makes perfect sense across the street from Norman elementary school. And not just housing, but a huge learning center. It will be our 15th center to support the kids that are enrolled there, have a food pantry, health programs,

[10:56:13 AM]

signature services. We're really excited about partnering with Guadalupe Neighborhood Corporation to build 32 homes for sale. I think what stands out with our proposal is our track record, that we've been part of Austin and GND for more than three decades. We've proven ourselves not just to build a great community, but to own it and operate it for decades and decades over time. That's our mission, that's really our commitment. Happy to answer any questions that come up. I did see the motion sheet from the mayor and that's acceptable and works for us. So, thank you.

>> Mayor Adler: Councilmember Pool.

>> Pool: Thanks, and thanks, Walter, for being here today. I know the representation that Foundation -- reputation that Foundation has is tremendous and you work hard to maintain it and

[10:57:13 AM]

you have done a good job. The way you were talking about the community center that you have 15 of them attached to a number of your housing developments, to me, it reminded me of the conversation we've been having with regard to homelessness and our wraparound services, you know, where we come in not just where we come in with a place not only for people to shelter, but also with additional resources that help them to provide for themselves and to increase the quality of life that people have. And I know how dedicated you and your team are and have been to providing those sorts of pretty fundamental resources and services to the good folks who happen to either rent or live and own structures that Foundation Communities has put on the ground for us. So he just wanted to take a minute to thank you because I do think that the work

[10:58:15 AM]

that your group does has a long trail of successes and is really important in our community. And thanks to the Guadalupe community development folks for their continued good work as well. Thanks.

>> Thank you.

>> Mayor Adler: Okay. Councilmember tovo.

>> Tovo: Thanks for being here, Mr. Moreau, and I appreciate your response to the mayor's amendments. I think those are good ones and I support them. And I wanted to ask you, you know, we had a conversation on Tuesday and I put some questions in the q&a about early childhood -- early childhood -- early childcare centers, and I know that's not within your scope at the moment. Is that something you could consider having some programs on --

>> We would love to open a childcare center. We've done two of them. We've opened your preschool center on laurel creek at north Lamar. They're challenging right now to fund, build and to

[10:59:16 AM]

operate. We were really careful in our response to this competition to propose what we knew we could deliver on. That's really important to us. I know sometimes the public competitions you might ask for ABC and then def, and they win and then they renegotiate. And we don't want to do that. I know sometimes they are open to the community at large. Will that be the case with this development.

>> All our learning centers are open to the development and to the neighborhood kids and free programs and that's essential.

>> Tovo: I think there are some opportunities here with the Rathgeber center as well

[11:00:18 AM]

as the city of Austin family -- women and children's shelter that is run by the Salvation Army so I know the mayor has an amendment here. If I seem a little scattered it's because we have a jackhammer in our ear and have sort of for days now running. But in any case, with that down the road I think there's some great opportunities. The mayor's amendment asks that you affirmatively outreach to those -- to those entities to see if there are opportunities for some of the families that are sheltering there to receive permanent housing down the street in your facility. And I would ask you to also explore partnerships with -- in terms of using the learning center and potentially I know they have a childcare program. There may be some nice -- some nice synergies there for families at your development, within your community that are younger that have children who are younger.

>> That's a great idea. We partner with the Rathgeber village already and passages program and

[11:01:18 AM]

we're a pipeline for families to be able to move out of that transitional situation into a permanent home and we love that partnership.

>> Could you talk -- thanks for all of the work that you do. Could you talk a bit about the way that foundation communities works with individuals are previously homeless. I know that you have a few special initiatives, including within your family communities.

>> We have family communities that are mostly two bedroom, three bedrooms and 160 apartments are in our children's home initiatives for kids who have been homeless. We're overwhelmed by the demand. We get two or three applications everyday and often have one or maybe two apartments a week that open up. It's intensive support for two years to help wrap around the services with that family and help them to address childcare and health issues. Our biggest goal is to really help the family boost their income.

[11:02:22 AM]

This year in the 160 apartments we had a 90% success rate of families being able to graduate and get to that level. And for kids that's such a huge you impact to be able to have -- and they don't have to move so they can stay in the apartment, the rent will go for a couple of years to an affordable level add then the next empty apartment rolls into the program so it's sustainable on that basis. We have a whole different program for single adults, individuals that have been homeless or chronically homeless. We're building zilker studios now and we just opened up Waterloo terrace up by the domain. I might share with council when we started leasing Waterloo terrace a year ago we had over 1300 people apply for 135 apartments. And a month ago we just started leasing laurel creek in councilmember pool's district on north Lamar and we had over 600 people interested in living there for 88 apartments. We were able to get the first four families in right before Thanksgiving. We were going to hand out

[11:03:22 AM]

keys starting December 1st, but these four families in particular were homeless, staying in their car or the shelter, sort of getting in before Thanksgiving was huge. And none of these families were in the system. None of them were being counted. They needed an affordable place to live and made sure they were at the front of the line at laurel creek. So of our 7,000 residents this year, about a thousand were formally homeless. So we're very committed to that.

>> Tovo: Wow. Thank you for articulating that and with that level of detail. I know many in the community are familiar with the great work the foundation communities does and I think most of the time you're associatith housing that is affordable housing, not nessarilly housing for individuals who have previously been homeless or families who have previously been homeless, families and children who have previously been homeless. So I think as we have this conversation it's just a really important element to highlight in your work. So thank you very much.

[11:04:28 AM]

>> Mayor Adler: I appreciate everything that you guys do. I think you guys are probably like the national best practice for what you do and a big fan of foundation communities. I appreciate your support for the direction. I also want to just acknowledge the way that foundations communities has also stepped forward at a time when the priority of dealing with homelessness or chronic homelessness that the organization has stepped up to help fill gaps, you've taken over management and help on a property when there are not a lot of service providers available or willing or able to step into that and you have. The program that you're doing with the county and us and making the commitments to the -- to specifically

[11:05:30 AM]

address this challenge and to participate in the data collection effort now that I think we'll have everybody participating in the community. I just want to acknowledge those things because I think those are real important things to the community that your organization is doing. I want to say thank you.

>> Tovo: Mayor, I'm having -- I think those of us in the dais in particular are having a super hard time hearing with all the work going on. If everybody could just sort of speak up a little bit louder than we might ordinarily do. As a mom I'm used to like multiple narratives going on and lots of noise and I can power through, but I just can't really hear what y'all are saying.

>> Mayor Adler: Understood

[saying loudly].

>> Renteria: And mayor, we do have the same problem over here on the other side. Anyway, I do want to thank -- I've been working

[11:06:31 AM]

with Walter and Guadalupe for decades. I mean, we go back 30 years if not longer. And I've known the work that this organization has done. And not once have I ever heard anybody ever complain about any of their projects that they have done. No one -- we had all the complaints before, you know, and people were very concerned about a lot of the -- of taking in homeless into and building housing for them and apartments and buying buildings. But afterwards -- and people can't believe how peaceful and safe that whole area around foundation communities projects. And I really want to say thank you for all the on hard work that you have done, especially Guadalupe also. Between y'all and Guadalupe and the housing authority,

[11:07:33 AM]

y'all are the best organization that has done so much for Austin and I want to say really thanks to all this group that of all my people, especially low income people, workforce people, that y'all have helped, it's just an amazing work and clearly a godsend type of work that y'all did. So thank you.

>> Mayor Adler: Thank you. Councilmember kitchen.

>> Kitchen: I just wanted to pile on and add my -- add my thanks and my appreciation. You know, we've had the opportunity to have a number of your -- a number of your homes in district 5. And I have the utmost trust in what you do and really, really just appreciate it. And I have no concerns whatsoever about the -- about the places that you build for people. And I appreciate the stories that you're able to tell us like you just did in

[11:08:36 AM]

response to councilmember tovo. So thank you.

>> Thank you.

>> Mayor Adler: All right. The next speaker, thank you, we have here, is mark Rogers. And then Julian Huerta.

>> Morning, mayor and members of city council. Mark Rogers, executive director of the Guadalupe neighborhood development corporation. Stirs of all, I want to -- first of all, I want to thank staff and the executive team for the development process they developed for the Tannehill rfp. It's wonderful to see criteria in an rfp that recognizes the tremendous value of engaging a team that has a strong track record of affirmative marketing and implementing geographic preference police for affordable housing. Gndc has been providing

[11:09:36 AM]

rental and home ownership opportunities to the families of east Austin since 1984. Dozens of east Austin families purchased homes from gndc even before we developed the first community land trust home in 2012. Right now we have 28 community land trust homes in east Austin and 83 more in development. And you should know that it hasn't been easy. Initially potential buyers had a very tough time wrapping their head around the idea of owning a home while not owning the land. So it was only after we finished the first four homes on father Joe's street that started to grow and man did it grow.

Right now we've got over 140 potential homeowners in our waitlist and almost every one of them has generational ties to 78702, 78721 and 78741.

[11:10:37 AM]

So if you want some idea of what gndc's home ownership development at Tannehill will be like, visit father Joe street. And I know the mayor has been there when we finished homes in collaboration with habitat for humanity. Mr. Cueros is one of the homeowners there. You will see net zero energy, two, three and four bedroom homes with a market value of about a half a million dollars that gndc has sold for between 100,000 and \$225,000 to first time home buyers all from east Austin. Seeing is believing and we've learned that gndc's best marketing strategy has been word of mouth. I won't say anything more than thank you for this opportunity and of course I would be glad to address any questions you might have. Thanks.

>> Mayor Adler: Julian Huerta. On deck is Rachel stone. Is Rachel stone here?

[11:11:37 AM]

You will be on deck. Go ahead.

>> All right, good morning mayor and council. My name is you'llian Huerta. I'm the executive director at foundation communities and I oversee all of our programs. A lot of what I was going to say today has already been kind of word by Walter and some of the questions that -- covered by Walter and some of the questions you asked, but I'll hit on some of the key things. I do want to reiterate that some of the services that we're proposing for Norman crossing are based on proven, well established programs in place at our 25 other affordable housing communities. Everyday we serve hundreds of kids in structured education focused after school programs and we work closely with our neighborhood schools and the administrators at our schools. Our kids have consistently maintained about a 3.4 gap over the years and -- GPA over the years and we have a data sharing agreement with district so we can learn about other needs that students have around reading or math or even counseling. And we have a lot of

[11:12:37 AM]

resources to help with those things too. It's been mentioned that our programs are not only for residents of our communities, but also people who live in the surrounding neighborhood and we're especially open to hearing from principals and other administrators at schools when they identify somebody that they know could use some additional support, kids who could use additional support they refer them to us and we do all we can to make room in our programs to bring them in and we'll certainly do that at Norman crossing. There was some mention of early childhood and we do have two

pre-k three partnerships in place in our facilities and those are in partnership with aid, and like any true partnership we and the district contribute significant resources to that and we've had huge success in kids being ready for kindergarten. And I think it was mentioned that Norman does have a

[11:13:37 AM]

3-pre-k program but we need to find other ways to support. And then adults many of our centers have esl classes, we make sure there's choke so that adults don't face another barriers. We also have a range of health programs like on-site food pantries. We help people manage chronic diseases like diabet and then we have fitness classes like Zumba and other things. And kind of lastly Walter had mentioned about 10% of the units will be serving families who have experienced homelessness. And they will receive intensive wraparound supports. And one of the things that I'm most proud of over the years is our 90% success rate in helping families who have been homeless to achieve long-term housing stability. You know, we'll be working with the neighborhood to find additional ways to help the community thrive and I just want to say thank you for all the support that council has provided to foundation communities over the years and hope that you will support Norman

[11:14:38 AM]

crossing. Thank you.

>> Mayor Adler: Thank you. On deck is faiez.

>> Thank you, council for having us. My name is Rachel stone and I'm the executive director of Guadalupe neighborhood development corporation and I just want to thank staff and council for these rfp opportunities. It's been amazing to -- as a fund-raiser at gndc it's a real challenge right now to access land, and having this ability to build on these properties that the city has been rfping out is really helpful to us and helping us move our waitlist. I wanted to share a quick note from our homeowners who sent this in to us. My name is April, I'm a single parent with three children and one income. I am proud to say I'm a first time homeowner thanks to gndc's home ownership program. I was at a place where I was

[11:15:39 AM]

not going to be able to have a home due to the family selling the duplex that my family and I had been living in for nine years. In 2020 I was blessed to be able to move into my own home in 2020. My mom called it my Christmas miracle. My children and I were able to move in on Christmas eve. Gndc gave me opportunity I never thought I would be able to have, not only to purchase my own home, but a high quality affordable home. I am proud to be able to provide my children with a home they can say is theirs and to raise them in the community I was born and raised in, which I feared I would have to leave due to

affordability. Sometimes I find myself sitting in the yd on the grass looking around my house and my neighborhood telling myself wow, I did it, I actually did it and this is mine. It's amazing what gndc and their staff and their mission has done for so many people for over 30 years. This whole experience has been a blessing to my family and to many others. So I just wanted to thank you all for this opportunity and for the families we can help with this upcoming project.

[11:16:41 AM]

>> Mayor Adler: Thank you.

>> Mayor and mayor pro tem and council members, good morning, I'm fiez, CEO of the group that includes our engineering practice and capital a housing. We're doing some very exciting work in permanent and supportive housing but today I wanted to kick off our team and development concept for 3811 Tannehill. You can see the team on the screen. Most of whom you know and they're very credible and doing incredible work in our community. I've read imagine Austin cover to cover and I subscribe to the concept of complete communities. Our proposal seeks to complete this community with the very best non-profits that provide these services. The areas surrounding 3811 Tannehill is a food desert, health care desert and childcare desert. Our proposal leverages and

[11:17:41 AM]

compliments the existing assets in the community, the all day pre-k, three and pre-k four at Norman Simms and the boys and girls club after school care with daily pickup and dropoff next door. I'm a part of foundation communities and gndc fan club, but their proposal provides a similar number of affordable units and almost duplicates the already available after school care, but does not address the huge opportunity that this particular location provides to fulfill the childcare, health care and healthy food access needs of the existing and new neighborhood residents and to support our public school system like our partners do and can. Our proposal was srored by staff and ranked very competitively in the overall rang, in the development team, development concept and financial feasibility with the scoring rubric that staff used. We believe that while council has communicated that priorities around early childcare and food access on

[11:18:43 AM]

city properties, the rfp scoring did not account for them. But it is up to y'all to decide the most appropriate concept for this location. I saw your post, councilmember tovo, about the continuum of care units, but I would also suggest consider adding early childcare and health care and healthy food access and housing for teachers, especially considering this location. I agree with Walter that this --

including those programs is difficult to do, but our financial model creatively utilizes market rates to subsidize and fund the childcare programs, health care and healthy food access that these organizations on our team provide. The speakers that follow me on our team will dive into the details on how they do and how that fulfills the need in this area. They may repeat what I've already said, but it's only because this is such a unique opportunity and it cannot be stressed enough.

[11:19:43 AM]

Thank you so much.

>> Mayor Adler: Thank you. Gregory Smith. And then Roger Canales.

>> Mayor and council, good morning to you. It's great to be here. My name is Greg Smith. I'm the president and CEO of the Austin revitalization authority. We're a proud member of this team for the proposal for Tannehill. We've been in existence for 25 years. We own and manage over 65,000 square feet of office and retail space. And our partners here as you can see is a very diverse group of folks providing a versed development team as well as a very diverse service delivery team. Just as we've started to focus on preservation and development of affordable

[11:20:44 AM]

housing in the colony park like said area, this is an expansion of what the Austin revitalization is doing. It has an opportunity to expand our mixed use development as well as our community land trust. We will be co-developer of the ownership homes that will be developed on the site as well as a co-developer of the mixed use development. I want to highlight the mixed use development because we're actually bringing retail space to this area that is currently not existing and it is being subsidized. As you would know, this past year with the pandemic a lot of the small businesses have suffered and gone under as a result of having an affordable space. And I would say to you that this proposal here -- and I will give kudos to foundation communities and gndc. I've known both of them for three decades myself, over

[11:21:44 AM]

three decades. Our proposal I would think is a little bit more comprehensive where it's providing some services that are greatly needed in the community. As they mentioned earlier, the childcare, affordable childcare, health care, food access and of course affordable housing. I would say that these are services that are currently not there and that are greatly needed. So I would hope that you would take those things into consideration as you deliberate which proposal is best for this site. Thank you.

>> Mayor Adler: Thank you.

>> Tovo: Mayor, I -- a previous speaker I believe attributed your motion sheet to me and I just wd to clarify that -- I think neither of us did at that time, but the motion sheet that's up on the message board is actually mayor Adler's.

>> Mayor Adler: Go ahead, sir.

>> My name is Roger Canales, I represent the national housing provider foundation, the nhp foundation. And we are the non-profit as

[11:22:47 AM]

part of in project. Our mission is to preserve and produce service enriched housing for people that can -- for people so that they can afford it. And at nhp we search and implement creative solutions that act as a blueprint providing generations to come with housing that is more than just a roof. And that's what we've done here is brought this team together and worked with capital a foundation to bring this team together. We founded in 1989, nhp realized extraordinary achievements, preserving and creating a value of affordable housing. As a non-profit organization, nhp operates with a charitable mission of businesslike financial discipline. We were established in 1989 and over that period we've done over 100 multi-family properties, containing over 25,000 affordable housing units and located in over 15 states, including Texas.

[11:23:49 AM]

And Texas we've provided currently 11 -- 1,150 units. In Houston right now we're actually building two projects, one of supportive housing and one of senior housing, excuse me. We also do class a properties with affordable housing to put affordable housing in high market areas. We try to do this with an innovative concept and we are long-term supporters of housing. Once the affordability barrier goes away we still want to be there for you and be there for those residents. Nhp has earned a reputation for delivering affordable housing and shelters in forms of strong communities that are clean, safe and green with solid accomplishments. We're excited to be a part of this project and look forward to doing more work here in the future and with this group. Thank you so much. Any questions?

>> Mayor Adler: Do you have any projects yet in the Austin area?

>> No, we do not. That's one thing we would really like to do, but we're doing a lot in Houston

[11:24:52 AM]

currently.

>> Mayor Adler: I do appreciate you reaching out to this market because I think that there's a benefit in the market if we have multiple players and access to capital for multiple and more places. So I appreciate your involvement, and whether or not this project gets awarded to you, please continue with your move to this market as well. It's greatly appreciated.

>> We will. Thank you so much.

>> Mayor Adler: Thank you. Nicole Jocelyn and then Connor Kennedy. >>

>> Good morning. My name is Nicole Jocelyn. I have served the Austin community as an architect, planner and affordable housing advocate for the last 13 years. I've recently joined the

[11:25:53 AM]

team at Capital A Housing as the head of community design and as my colleagues and our partners have already highlighted, this proposal seeks to build on the existing assets of the Norman Simms community. But also recognizes the deep gaps perpetuated by historic underinvestment in this community. Does this thing work? Cool. As you can see in the area analysis that this team provided, this community has little access to subsidized health care centers making it a health care desert. It is also an affordable childcare desert where residents face extreme difficulty finding high quality affordable childcare. It is also a healthy foods desert with the closest grocery store located over a mile away from this site. We can also see that this community bears the burden of inaccessible affordable housing and is borne by

[11:26:53 AM]

families in a demonstrated high poverty area. At the root of this proposal is the recognition and belief that it takes more than housing units to support a community where all can thrive. And it is time that we ask for more robust consideration of the whole community experience in our developments. This belief has manifested in a proposal that seeks to deeply address historic underinvestment by not only providing affordable units but also the quality services that existing members of this community have already asked for and that new members will need to thrive. Thank you very much for your thoughtful consideration today.

>> Mayor Adler: Thank you.

>> Morning, council. I wanted to talk to you a little bit, Connor Kenny, Capital A Housing and talk about our model. It's no -- can we advance to

[11:27:59 AM]

the next slide? So the way that we can afford to do all these great amenities and services is by incorporating market rate homes into this mix. 40 of our homes will be market rate, but 78 percent of our units are multi-bedroom, including 30% of the units is three bedroom. And it's really those benefits which more team are going to talk about that I think drove the overwhelming preference of people in this zip code in community survey because we know what a lack of services there are in this area. Next slide. We would also request if we're able to do income averaging for our ownership homes, which would allow us to go up to as high as 120% mfi because if you're a teacher in aid and you have a partner who makes even prime wages -- next slide.

[Buzzer]. I think that's early.

-- You are ineligible for the low income units so you need to be eligible for those units. We're also bringing -- we

[11:29:00 AM]

gave way below market rate to a black-owned business for a fresh foods focused grocery store who is committed to not doing a usual kind of convenience market. And then we also have a half -- two more slides. And then we have a half million dollars budgeted to improve the campus park next door which includes a splash pad and shaded basketball court that can double as outdoor classrooms for the elementary school. And because people's community clinic couldn't make it down, we have a five to six thousand square foot full service health care clinic that we will be building for them on this site that will be focusing on mothers and children, which will be the only fqhc anywhere within a couple of miles. Thank you.

>> Mayor Adler: Thank you. Joanna Pulido, and on deck is Shirley van bracky.

[11:30:02 AM]

>> Good morning. My name is Joanna with communities in schools of central Texas. We traditionally are not in these conversations but we are excited to increase our early childhood footprint as part of this collective impact proposal. Children remain the poorest age group in the U.S. 71% of children are black, indigenous and latinx. 90% are children under the age of six. Only 39% of children from households with low income begin kindergarten ready to learn and succeed. And more than one in tee children under the age of six living in Travis county live in low income households. When families have access to referral systems of support in walking distance from their homes, they can thrive. It takes ravage village for families to raise healthy children. Cis has over 40 years providing social-emotional learning, academic support, basic needs and community

[11:31:02 AM]

service to students and families. Aspire is a two Jen model that has supported families for 26 years. Our prevention model provides home visits using parents as teachers, adult education that includes ESL, GED, workforce development and parenting classes. Our families move out of isolation where parents can be their child's first and most important teacher and hope takes root. Aspire children start kindergarten ready and they outperform their years after participating in the program. This proposal allows CIS to bring additional resources on to the Norman Sims campus to provide case management, crisis intervention, mentoring and tutoring, following our national integrated student support model. Research has proven that a child's early years from birth to kindergarten are the most crucial and can impact the rest of their lives.

[11:32:02 AM]

If we want healthy children who are ready for school and life, we need to build villages that remove barriers, reduce stressors and support our families to thrive in a safe, stimulating and caring community. Thank you.

>> Mayor Adler: Thank you. And as my appointee on the committee, I want to thank you for your service.

>> Thank you.

>> Renteria: I want to ask you a question, especially about one of the proposals to do a healthy food grocery store. Is that --

>> Early --

>> Renteria: He just saw the --

>> Oh, thank you.

>> Yes, council member?

>> Renteria: Yeah, what type of grocery stores? Is it going to be a commercial or --

>> So it's a local-owned business, Tes concession, we have an MOU with them. We're looking right now at

[11:33:04 AM]

about 4,000 square feet and they have focused on committing on healthy foods and fresh foods which are not the most profitable and because of that we gave them crazy discounted rent.

>> Renteria: Yeah, I just wanted to find out if it's -- what kind of control you will have over the grocery store and to make sure that they are selling healthy food.

>> It's built into their lease.

>> Renteria: Thank you.

>> Kitchen: Mayor, I have a quick question for this speaker also.

>> Mayor Adler: Councilmember kitchen.

>> Kitchen: Just very quick, you were talking about income averaging. Could you repeat that? I didn't catch the whole thing? Were you speaking with regard to teachers? Explain that more to me.

>> So we have worked with education Austin and have promised them 30 rental and 30 ownership homes set aside for aid staff. For teachers that's particularly important because average -- the starting salary for an aid teacher is \$51,000. If you add in things like a master's degree and whatnot, by the time -- if you're a familiar with two kids, if

[11:34:04 AM]

you're a teacher and you have a spouse who makes more than like \$13,000, you're above that 80% mfi income level. And you're not eligible for any of the ownership housing that's mostly built in Austin because it's restricted at that 80%. So by using income averaging we create opportunities up that 120 and those folks can't afford houses anyway in Austin right now, but because of averaging it also creates opportunities lower on the income spectrum so it still comes in at an average of 80, but just more of a spectrum. ,.

>> Kitchen: I see what you're saying. The average speaks to your -- the number of units at 80% averages at 80% rather than you're not doing anything particularly different in how you count the individual's income, got it. Thank you.

>> Mayor Adler: Okay. Continuing on, is Johanna

[11:35:11 AM]

Pulido here? What about Cheryl ambreco?

>> She couldn't make it from people's community clinic.

>> Mayor Adler: What about Jason Mandell? Come on down. And then Kelly white.

>> Good morning, mayor and city councilmembers. My name is Jason gindell. I'm the executive director of main springs school. We're an 80-year-old childcare organization, non-profit, that works in south central Austin in district 9. You may have seen last week a report from the U.S. Chamber of commerce

that was done in collaboration with the Texas chamber of commerce that said that Texas' lack of investment in childcare is costing the economy \$9.4 billion a year. It's also costing the state \$1.8 billion in taxable

[11:36:11 AM]

revenue. As you know, Texas does a fairly poor job of investing in early childhood. Much of that impact is seen here in Austin, especially as Austin grows. This site, this proposal, is here to address some of that issue, to chip away at some of the lack of childcare and investment in childcare that exists in the state and here in our region. And the Norman Sims community is a childcare desert that needs this service, and this proposal provides that in a way that is appropriate for a non-profit to come in and serve at-risk children ages zero to five. Let me give you a sense of what it looks like on the ground. Main spring serves 100 children today, mostly low income children. Our waitlist is 500 deep right now. It is the greatest that it's ever been in the history of our organization. The need is significant. And it's not just the need

[11:37:13 AM]

for slots, childcare slots, but it's doing so in a high quality way. A way that works with kids who come from trauma, from the foster care system, from poverty. Ways that provide nutrition in the school on a daily basis. A service that provides wraparound family support to help them find housing, to provide therapy and more. Main spring has been a single location for decades, but today we're looking to expand and support this proposal because the need is so great in Austin. So I hope that as a council and a mayor you'll consider this proposal seriously because it addresses a core need for the community and for the entire city of Austin. Thank you very much.

>> Mayor Adler: Thank Yo

[11:38:13 AM]

Ms. White.

>> Gosh. First, thank you all for your service. I'm sitting out there and just being so grateful to y'all. Thank you. My name is Kelly white. I am the co-ceo at the safe alliance and I'm here to speak in support of the Norman village Sims proposal and I know that's a little bit odd because the truth is that we are deeply, deeply in partnership also with foundation communities. So I am in no way speaking against that proposal. Walter, when he spoke, said something about that we are in partnership with Rathgeber village, which is a program that is operated by the safe alliance, so that's a deep partnership as well. What we know, though, is housing is critical. It's critical to safety. And our mission is stop abuse for

everyone. We are about safety. We see too many victim in particular over the last couple of years, too many victims that are staying in very, very dangerous

[11:39:13 AM]

situations because they are making the choice of a roof over their children's heads or homelessness. We see women that are raped and then while living in their tents and they come in and they receive support and an exam and then we release them back to their home, a tent in their homeless encampment. I could tell you horror stories. I could go on and on. I will not do that. Our waitlist yesterday, just checked yesterday, our waitlist was -- I don't remember exactly, but I do remember the startling fact that we had 18 individuals and families that had a score -- Campbell danger assessment. Most of the programs in this community use this particular assessment. We had 18 individuals and families that had a score of 18 plus on the Campbell danger assessment. What that means is that very, very high risk for

[11:40:16 AM]

lethality. That's frightening, it's unacceptable, and I think -- I don't think it got pulled off the consent agenda. I think you all did something this morning to make a huge difference in that, right? Enormous thank you to y'all for that. That will make an enormous difference for lots and lots of families in our community. So what about the -- why am I here with the Norman village Sims proposal? What I see is that -- we are a part of it and we see that -- not just me at safe. We see that it addresses community and individual needs in a very holistic and comprehensive way, and it's about the neighborhood. It's not just about the people that live there. It's very much about building up a neighborhood and a community and the individuals that need that support. That is our neighborhood. We are embedded in that

[11:41:18 AM]

neighborhood. And we support this proposal. Thank you so very much. You're wonderful.

>> Mayor Adler: Thank you very much.

>> Casar: Mayor, and I think we still have Ms. White to call up on the consent agenda when we go back to the council meeting.

>> I'll be here. Thank you.

>> Casar: I think that she signed up for the council meeting agenda and she signed up for ahfc and I think it was merged, but those are two separate meetings.

>> Mayor Adler: Okay. I think those are all the folks that we had signed up here in person. Shark? Why don't you call the folks speaking remotely?

>> Casar: Mayor, do we want to -- since we did have that mistake, maybe we could ask Ms. White if her testimony covered it, but she was signed up for the general meeting but we didn't call her up.

>> Mayor Adler: Which item number was that?

>> Casar: That is the shelter item, which is item

[11:42:29 AM]

number 59. My staff shot me a note that she was registered for that.

>> Mayor Adler: There's no one registered to speak on item 59.

>> Casar: That's fine.

>> Mayor Adler: And I think early college high school this morning we had a speaker that wasn't signed up. I think he signed up after 9:15. There's a 9:15 cutoff for time. We need to post that on the machine or something to let people know. And if the clerk's office could reach out to that earlier speaker to make sure that he knows going forward that you need to sign up by 5:15 to be able to speak. 9:15 rather to be able to speak. Here in person. And then it's the day before I think or two days before if you're speaking remotely. But it's posted with what the rules are. Why don't you go ahead and call the remote speakers.

>> The first speaker is Russell Frasier.

>> Mayor Adler: All right. At this point we're out of

[11:43:30 AM]

the Austin housing finance corporation meeting so let me go ahead and recess the Austin housing finance corporation meeting here at 11:43 on December 9th, '21. I'm going to reconvene the Austin city council meeting here on December 9th, 2021. It's 11:43. We're going to continue with speakers. These are the remote speakers.

>> Russell Frasier.

>> Yes. Good morning. My name is Russell Frasier. I reside in Travis heights neighborhood in the south river city citizens neighborhood association. My neighbors and I have been following the buildout process within the south central waterfront area and speaking for myself I am pleased to see an enthusiastic council taking up the proposal for the CDC waterfront area. Thank you. According to the related

[11:44:30 AM]

preliminary project and financing plan, it seems the -- as you know the tier 1 projects have an estimated start date or anticipated start date of 2022, next year. And public realm costs of over \$80 million. So please act now to organize this effort. Also please keep in mind that people who reside within the Berkman core area within several miles of city hall, which I think includes some of council, would like a waterfront public area to be proud of. Think of the efforts back in -- I believe it was the 1960s around town hall, the hike and bike path, the planting of trees, lady bird Johnson, that work is carried on into the next century, into this century. The city of Atlanta engaged in a major redesign of their largest city park and the earliest 20th century, a century crook. The sons of Frederick

[11:45:34 AM]

Olmstead designed the park in the city of Atlanta and it is now a cultural and social magnet, a source of pride and pleasure for the surrounding core urban residential areas. We have the same opportunity here. And at the risk of sounding trite I also want to thank you for your service. On a recent Sunday I noticed the front page of the "New York Times" magazine featured our fair city and our problems at growth, which we're all aware of. All eyes are on us. And what you decide today or this year or during your term on the council will be carried into the future. You possibly have the most challenging public civic service jobs in the country, notwithstanding the mayor of New York City or the city of Miami police chief. So again, I thank you and I

[11:46:37 AM]

want to reiterate my support of the tirz. Thank you.

>> Paula Kaufmann.

>> Hi. Can you hear me?

>> Yes, go ahead.

>> Hello, can you hear me?

>> Yes, go ahead.

>> I'm Paula Kaufmann. I -- I'm Paula Kaufmann. I give this statement behalf of the south river city citizens if neighborhood association representing about 5,000 households negatively impacted by the proposed project at 305 south congress. Quote, we agree that Austin needs more affordable housing, especially close to large employers, to help cut our traffic congestion. People earning 50 to 60% median

family income, including many government, non-profit, academic, small business, service workers and young professionals, flee our city because of lack of affordability.

[11:47:37 AM]

Ficc has numerous affordable units in older homes, ads and multi-family homes today. However, we disagree with fee-in-lieu alternative for developers who receive greater entitlements in exchange for community benefits. 20% of the units should be on-site affordable housing and other developments such as boardwalks, climbingwalls, should not be considered an alternative to building on-site affordable housing, unquote. City, you claim to allow more density on the 305 south congress to collect more tax, but you should be conflicting much more tax on this property now. It's grossly undervalued at \$4 million an acre. I sincerely doubt the owner would accept my offer of a million dollars for a quarter acre on lady bird lake. The improvements are valued at \$888, while we residents

[11:48:40 AM]

saw our improvements more than double last year. If commercial properties were appraised fairly compared to residential properties, the city would be able to lower the rates for residents. This egregious inequity makes home ownership unaffordable because it helps disqualify borrowers. In your heart you want less homelessness, but your tax policies create more. Also it was agreed to four% rather than 20% of affordable housing because the statesman tract built other community amenities that will allow them to charge more rent. But when the owner asked for significantly greater density that four percent figure should have been raised proportionately. If the city collects \$450,000 for four percent of units that will easily sell for one to \$20 million each, affordable housing will never get built. Let the developer build affordable housing units on-site with zero percent contribution from taxpayers.

[11:49:45 AM]

That's what they do, build. It's not a mandate. If they don't want to build affordable housing they can build at the current legal density.

[Buzzer].

>> Carmen Llanes Pulido.

>> Good morning, mayor and council. Of course I'm always caught off guard every time y'all call me on the virtual, but I appreciate the opportunity to speak on several items today. I'm going to start out with - give me one second here. Apologize. My notes here are closed. And I have several items I wanted to speak on, including I'm going to start I think with 64 here.

[11:51:01 AM]

Apologize for that. I appreciate the item 64. I think you all are getting some things done from the codenext days that almost all of us can agree on. It doesn't preserve housing in the market sense, but it does facilitate production of lots of more units through ads in a way that doesn't threaten our existing stock and neighborhood stability. The tactic that helps a certain sector of the population, but I encourage you all to take action and add this to the toolbox because you can right now. That said, this is limited really as an option to workforce housing bracket, which is significantly higher in those that are being displaced the fastest in Austin so you will have to look for alternatives that sort of lower income renters, including in the neighborhoods like dove springs and jourdanton acres where gave works, people really want the option for prefab manufactured housing and trailers to be allowed on single-family lots because for many of them this would be the only accessible option. For a lot of working class

[11:52:01 AM]

people. If you can't add this into the resolution now I urge you champion a separate policy that makes sense, that makes this possible. On item 62 I'm a lot more concerned about the supposed request for an analysis of producing housing. If I were you I would scrap this resolution and start over with something like a basic orientation of development economics, market absorption and capital frameworks, none of which is reflected here. If you want to improve prices for thousand in housing or mitigate harm in the current real estate frenzy then don't pass a resolution loaded with distractions that have nothing to do with reducing the cost of housing. Any housing expert is going to tell you that this is a demand issue that has to do with massive investment from international investors and no way to build ourselves out of this. There are ways to disrupt the market. So you put some regulatory tools on the chopping people of color here. Our heritage tree ordinance,

[11:53:02 AM]

our tease fees and types make it liveable and are our few regulatory tools. We don't want to be Houston, Texas, especially not in this economic crisis.

[Buzzer]. When he talks about affordable housing, he means to new buyers with, you heard him, \$300,000 in cash for a house, not credit, cash. Incredible how easily the term affordable housing gets co-opted, isn't it. .>> Thank you, speaker, your time has expired.

>> Mayor Adler: Next speaker is --

>> Kitchen: Mayor, she said she had other comments but she got cut off. Did we allow her time because she was talking on more than one item?

>> Mayor Adler: Certainly anybody on the council can call her back to do that?

>> Kitchen: I would like to call her back to see what she was about to say.

[11:54:08 AM]

>> Yes, go ahead.

>> Kitchen: Will they be calling her back.

>> Mayor Adler: I think they have her on the phone right now?

>> Kitchen: Okay. I couldn't hear.

>> Mayor Adler: Councilmember kitchen has asked you to continue.

>> Mayor, the call was disconnected, approximate but we're going to give her a call back in a moment. Currently we have Amanda

[indiscernible] On the line.

>> Am I back in queue?

>> Yes, go ahead.

>> Good morning. My name is Amanda and I live at 3203 Mccaul lane near southbound I-35. I am speaking on behalf of my community in regards to the proposed jet fill tanks that will be built -- that they're trying to build near our home, which is approximately 430 feet away from our homes. A lot of us do not want it

[11:55:10 AM]

there. We really want you guys to move it, you know, healthwise, safetywise. A lot of my community has spoken. They have not been -- there has not been clear communication. None of my community knows that live off of Mccaul lane or sealy or my neighbors behind Colorado Springs were never aware of any of this whatsoever. They were not provided with any kind of notification given the fact that they have a homeowners, no letters or anything. I basically walked to everybody's homes, as many people as I could, and made them aware of what was going on. They were very surprised at what was going on, and want action to be taken because this is very close to my home. Again, this is approximately 430 feet away from our homes. I mean, how would you like if your family -- you walked

[11:56:11 AM]

out of your door and you saw that? You know, it's just not right to have that near our homes. Can you hear me? Hello?

>> Yes, go ahead.

>> Okay. You know, I mean, we really don't want this here. A lot of my community are Spanish speaking, so they're uneducated, they don't understand. They're scared. So there was lack of communication there. I feel that most -- most of us feel that we have been taken advantage of and we were not given the proper opportunity to speak out because of our language barrier. So we ask that you move this away from our homes. We have residents there. We just had a school down the street from that, KIPP was built. They're not even aware of this. Just imagine if something were to happen, you know,

[11:57:13 AM]

how scared these children would be. We have children in our community too and it's just for them not to be aware, that's just not fair. And that's all I have to say for today. Thank you.

>> Next speaker is Breeda Wallace.

>> Good morning. My name is Breeda Wallace. I am an Austin coalition board member and I am speaking on behalf of the coalition. We are a group of primarily infill builders and our members are responsible for a lot of the smaller scale housing around town. In particular we have many members that are building ADUs. The Austin [indiscernible] Coalition sent an open letter to your offices agreeing that reforming the land development code to improve the ADU ordinance is one way to help with the affordability issues we are

[11:58:13 AM]

seeing in Austin. Our desire for broad reform to the -- our desire is for broad reform to the ADU policy that results in a noticeable difference in the amount of ADUs being built around Austin. We are happy to see that ADUs have been identified with the critical component LDC reform and are happy to see some of the items in the resolution are a step in the right direction, however we believe the current resolution will not result in a noticeable change to the number of ADUs we see around town. The current code incentivizes developers to build single-family homes because the permit process and code complexity for ADUs makes them more complicated than simply building one big house. We need developers to continue to build ADUs because they are one of the only relatively affordable housing options available to us under our current LDC. We need ADUs everywhere, not just for an existing house is preserved. We need to simplify the process, not just for homeowners, but for everyone who wants to build an ADU. And we need greater flexibility and design and

[11:59:14 AM]

allowable square footage to Austin has housing stock for everyone, not just everyone who can afford a large, single-family house. The Idc is complex and there are professional groups, including ours that have worked to provide lists of simple targeted changes that have simplify the number of ads to be built. We look forward to the opportunity to work with your offices in developing robust Adu reform. I'm happy to answer any questions. Thank you.

>> Next speaker is Kai gray.

>> Hi. First off, I want to say thanks for looking into the preservation bonus. I think it was one of the best parts. It combined goals with historic preservation. I noticed sf 2 and 3 were separated. For the preservation to be

[12:00:16 PM]

useful -- sf 2 has deed restrictions and is newer houses. The impact will be very, very low. Second, most older houses of historic significance and integrity are sf 3. If we want to preserve those homes sf 3 needs to be included. I hope the -- lastly, we will need to have strong preservation protection, more than seen in Idc. It's important to preserve the front facade. The preservation bonus needs to have three units and easy enough that it will be used. Otherwise tearing down and

[12:01:16 PM]

rebuilding -- it needs to apply to areas that have historical property, which is sf 3. It needs to not be broken down by -- I want to thank you for the preservation -- thank you for what you have done on this.

>> Thank you for the extra time.

>> Can you hear me? Oh, great. I appreciate the extra time.

[12:02:17 PM]

I want to get back to the issues on the item 62. So when we talk about affordability let's not just talk about people moving into Austin who have \$300,000 or half a million in cash but actually the folks who are struggling the most to stay and come in with most buying power, renting power. We're going to waste time if we fill this with extraneous pieces about market rate production. This is opportunistic at worst. It's an attempt to shape conversation about housing prices into a conversation about how to reduce regulation. We need better solutions in terms of value capture. If we're going to talk about

production, serious subsidies with city owned land, privately owned land and funding sources. On item 66 I registered

[12:03:19 PM]

thinking it was the resolution itself and wanted to clarify I'm in favor of public engagement and a hearing and I am still somewhat concerned about the principle that potentially undermines the -- the principle of notification and protest that is so important to many of us and on which the lawsuit which has upheld our protest and notification rights is based on. Again, I would be careful about the message this is sending and what notification is going to look like for all of the potentially impacted properties and the properties surrounding each -- it seems messy to notify everyone. I hope you'll consider that as well as the message it could send because with the proposed land use it feels like a hit to public notice and community engagement. If it does pass, well, that's a conversation for another time.

[12:04:19 PM]

Lastly, I won't be able to speak with you all until this afternoon. I wanted to say when you look at the parts of the eastern crescent that are often underrepresented, this is the most diverse rate, some of the most affordable and Marth rate housing we have. Please don't treat it as somewhere that's not threatened wauz the area you'll have -- because the area is an uprooted study, characterized as susceptible to displacement and excel rating in gentrification. This is a critical area to preserve and protect. So when you vote in favor of spot zoning without huge community benefit it accelerates gentrification in these areas. I want you to see what you can

[12:05:20 PM]

do in the third reading to mitigate the harm and do well by your constituents in north Austin. Thank you.

>> Mayor, that concludes the speakers for this morning

>> Mayor Adler: Great. Thank you. Colleagues, I'm looking at the consent agenda today, items 1 through 66. The items that have been pulled are 3, 4, 8, 14, 44, 45, 49, 60, 62, and 64.

>> Sorry. Would you do that one more time?

>> Mayor Adler: No problem. Consent items -- pulled are 3, 4, 8, 14, 44, 45, 49, 60, 62,

[12:06:21 PM]

and 64.

>> Mayor, I can put 3 back on

>> Mayor Adler: Okay. 3 is back on. No longer pulled.

>> Mayor?

>> Mayor Adler: Yes?

>> Can I clarify -- council member kitchen -- I thought you pulled 57

>> Kitchen: No. I have a comment to make. I don't need to pull it off.

>> I have a couple questions -- a comment -- I'll make them as part of the consent agenda. I have a couple fast questions related to 15 and 31. I think we can stay on consent if we have staff who can quickly clarify something in the Q and a

>> Mayor Adler: Okay. Yes?

>> Ellis: I would like to be added as a cosponsor to 57. I really appreciate the work of

[12:07:22 PM]

the sponsors and cosponsors on the item

>> Mayor Adler: Is there a motion to approve? Council member Ellis makes the motion. Council member Fuentes seconds. Any discussion on the consent agenda item? Council member kitchen?

>> Kitchen: Thank you. I want to thank council member Renteria for bringing item 57 which relates to veterans affairs. We have needed that for quite some time and I want to urge our staff to really move forward quickly. As was cited in his resolution, we have had a number of resolutions in the past that have not resulted -- that really have not resulted in -- really haven't been implemented, I guess would be the best way to say it. He cites one that I had worked on about creating a veteran resource center. And the last report I have on that is October of 2019.

[12:08:25 PM]

And so at that time there was a report done, analysis of what it would take. And I had thought we had identified a location for a center as well as resource center. And I haven't heard anything since then and frankly haven't followed up on it. So I want to say thank you to council member Renteria for bringing this forward. It needs to be expedited since over the last number of years we've been trying to get this accomplished. Thank you

>> Mayor Adler: Thank you. Council member Kelly

>> Kelly: Thank you. Please let the record reflect -- excuse me. First and foremost let the record reflect I'm voting no on 6 and 7 on the consent agenda today. Much like council member kitchen's comments the city

[12:09:28 PM]

manager exploring management of a veterans affairs office, I intend to support that. I want to thank the sponsors of that item. We have an existing veterans services office but when this is approved it will further help the city of office's commitment to help the veterans. It allows us to give back and honor them. I want to thank everyone in relate to work with veterans also. On item 8, I just want to acknowledge that I'm grateful for the opportunity to work on those issues. Her district is underserved in transportation and other areas. I appreciate her thoughtfulness and look forward to adding to the item. Moving forward I want to make it clear we need coda to come

[12:10:30 PM]

to the table to improve efforts of the event attendees and those around the area. I would like to see more discussions in order to achieve our shared goals. For item 56 I passed out a motion sheet to add direction related to a series of two public engagement meetings to discuss the proposed code amendments. It's not my intention to slow down the efforts of the resolution. I understand some of those meetings will occur through the process. The reason I'm bringing this forward is because I've heard from several people throughout the city who express concern we might be rushing this process. I want to document and acknowledge their concerns publicly. I hope it can be considered and put on consent.

>> Mayor Adler: Council member Fuentes?

[12:11:32 PM]

>> Thank you. We have on the agenda the jet fuel storage facility. This item came to my attention from neighbors living near the Austin airport. They brought forward concerns about having the jet fuel tanks located in the area, wanting to understand what the environmental impacts would be from this jet fuel storage site as well as exploring the possibility of relocating the storage facility. For background on how we got to this place, this -- the city council back in November of 2018 voted on the airport expansion plan. As part of that plan there is a need to expand our jet fuel capacity. Our airport is booming right now and we have an increased demand from the airlines on jet fuel storage. As part of the expansion the airport is looking at where they can increase their

[12:12:32 PM]

capacity. And then through that process of adopting the airport expansion plan there were a series of community outreach meetings conducted, but what I have learned is that residents living near the airport were not notified or did not have an opportunity to engage on the matter, and so what this resolution does is it calls for us to reopen the community outreach process to make sure that we leave no stone unturned. It formally directs city staff to not only continue to provide information to our neighbors but hones in on how that communication, that outreach is done. For many of us who live in the southeast there is a significant digital divide so we can't rely on online communications. We have to take it off line. It sets out having mailers, going door to door, making sure folks have an opportunity to be part of the conversation. It asks for us to look -- to

[12:13:34 PM]

review the feasibility of alternative site locations and to report this information to the community in a detailed way. Importantly it also asks for an environmental study related to the air and water quality impacts of this new jet fuel storage facility. I firmly believe that our community deserves to know what is in the air, what would be the potential impact of this jet fuel site, as well as what more can be done to mitigate any potential harms. So that's what this resolution sets out to do. I want to thank -- also, very importantly, it also asks for the aviation department to come back to council within 90 days after having the series of community outreach meetings and report to us. So it lays out a briefing session we'll have as a council. We'll have a more in-depth conversation on this topic where we can take a look at what is being nsidered. Also the feedback from the

[12:14:37 PM]

community and all of that will take place in -- also looking at the environmental analysis. So a lot happening in the next few months. I want to thank the district two residents for taking the time to voice their concerns so that I could have the opportunity to advocate on your behalf. I want to thank the city manager and airport leadership for taking a pause for us to have this outreach process. I want to thank my cosponsors for their support. I appreciate you all for jumping on board. And so with that -- there is one more comment I wanted to make. On the veterans office I want to applaud council member Renteria for bringing that on board. I'm happy to see that work continue. The va clinic is located in D 2. I'm happy to be a cosponsor on

[12:15:39 PM]

that resolution. Thank you

>> Mayor Adler: Thank you. I understand that staff is suggesting we postpone item number 4 until January 27th. Anybody have objection to that? That will stay on the consent agenda then, being postponed until January 27. Council member Kelly, on the direction that you've given I understand the need and want to make sure that the public does feel like they have the opportunity to be able to feel like they can comment on that and that the council get at the time it might consider this an understanding of what comments or questions were raised by the community. When -- my question is this -- and we want to make sure the community has an open opportunity to be able to do that. Would a planning commission meeting qualify for one of the two? Would the city council housing

[12:16:40 PM]

committee, if it decided to take it up, qualify as one of the two? But just to make sure there's at least two that would happen in that form or other forms.

>> I want the community to understand we're going to listen to them.

>> Mayor Adler: With the understanding the public hearings can be -- I'm fine with that. Council member alter

>> Alter: Thank you. I'm happy to include your amendment. I'll take this off because I can't hear myself so you probably can't hear me. With the understanding we've built into the process -- public engagement because that's really important and we've gone above what is normally done in saying there will also be a hearing at the housing committee of council. So there will be more than two opportunities for engagement that are already built into the process. And then each of those steps, as the mayor mentioned, will have a hearing associated with

[12:17:43 PM]

that. With that being said, I would be comfortable with your amendment. I just wanted to make sure we were clear on that. I don't think any of us disagree with the need to have the public input as we move forward. This resolution is initiating the process.

>> Thank you for that and for explaining it. I think we're also able to educate the community on what that process is so they have a better understanding of it and their concerns are eased more

>> Mayor Adler: When you say more than -- so the third could be the public hearing in front of council.

>> The normal process has it going to the planning commission. Our resolution has it specifying it needs to go to the housing committee. Then council would be the third

>> Mayor Adler: Got it. Any objection to that being included? Hearing no objection, that gets

[12:18:45 PM]

included in that item. Any other -- council member Renteria

>> Renteria: I want to thank everyone for supporting that amendment. The veterans serve proudly and bravely and we really -- they deserve the service that they need. Austin is one of the biggest cities and we really need to start to reach out to our veterans. I know there are some that have come back that have physical and -- injuries, combat injuries that need these types of service but all of our veterans that have probably served -- need this type of service. And I really appreciate that we're going to have a one-stop shop for all our veterans here

[12:19:46 PM]

in Austin

>> Mayor Adler: Thank you. Consent agenda has been moved and seconded. Any further discussion? Council member alter? Casar, tovo?

>> Just to avoid confusion, I want to clarify council member Kelly's amendment is a direction. Just for a record. Council asked me to do that. I want to speak first to two items that I'm sponsoring. First is 56. I'm proud and excited to have coauthored this item with mayor Adler and grateful for the support of my cosponsors. This item takes an important and significant step to increase housing capacity, balance with providing community benefits in the form of on site affordable housing. I think this is a prime example of how we can improve our code with minimal contention and maximum impact and I'm pleased we can take this step today.

[12:20:47 PM]

Item 58 -- I want to thank my colleagues for supporting and adopting. It assures the code aligns with state law to provide schools with the same buffer zone from alcohol sales. I also want to comment on three other items that may be a little built under the radar -- item 20, a contract to upgrade Austin storm center energy software to implement improvements and address frustrations in winter storm uri. The outage map and text process were one of the things we heard the most about at certain parts of the process. There's been updating outage text message notification and

[12:21:48 PM]

ensuring that the system reflects outages at a customer level. This will advance improvements in mapping, integration with social media, user interface, and more. I think this interface is important for how we communicate in a time of power outages. I'm glad to see we are taking lessons from what we learned and improving that system. Item 29 is a contract for land management planning on city lands. This is a direct response to the 2019 wild fire preparedness audit which I requested. This will lead the community to become more resilient. It will guide the parks and recreation department to restore the eco health of reserves and parkland area and prepare for climate change over the coming decades. It will assist the parks department and Austin fire, parks foundation and others to

[12:22:48 PM]

better align their efforts to manage and restore their areas in the areas they manage. It's important for achieving the climate equity plan. I want to speak to item 6 and 7 which are related to the nonprofit relief grant program. These two items together add \$500,000 to arts and culture relief grant program. This is building on work that I initiated last may with respect to the covid relief to provide relief tnonprofits. This specifically reaches our arts and culture nonprofits. These will -- grants will provide \$20,000 to eligible arts and nonprofits. With this additional funding, it will have funded every eligible applicant who applied to the program and will be able to support our creative organizations as the effects of

[12:23:49 PM]

the pandemic continue. So I'm proud of us and thankful to our dais that we're able to deliver this relief fast as I hear from other cities around the country and dealing with their aid, we're able to get our aid out to folks while they need it the most and I'm pleased with that. Thank you

>> Mayor Adler: Council member Casar

>> Casar: Thank you, mayor. I want to thank the veterans commission for their hard work. I appreciate this item today. I want to thank council member Fuentes for bringing forward the item related to the airport fuel storage facility. I know that it has been a lot of work and meetings over there, and I know that both you and our airport director share the goal of trying to do this the right way because I think that looking -- taking a pause and looking at alternative places is what we need to do,

[12:24:50 PM]

finding a better place for this I think is something that is in everyone's interest. If that's at all possible. I think that will take everyone putting their heads together and doing that hard work to see if there is a way to move this in the plan. I want to thank the airport director. We often times don't talk about the airport as much but there's always so much work happening there, running that facility in the huge decline of travel and in the pandemic is not easy, while working on a master plan for expansion -- not easy work. So I want to thank you, director, and I know that we share the goal of seeing how it is that we can successfully expand the airport while taking care of the residents and addressing the air quality issues and safety issues around the facilities. Thank you to the residents for your advocacy on this as well. I appreciate you calling in. The last thing, mayor, is I do think because of the confusion

[12:25:52 PM]

around signing up for ahfc versus the council meeting, I wanted to get Ms. White a chance to speak on item 59 -- what the vote will do to expand shelter capacity in the city

>> Mayor Adler: Go ahead.

>> I will be quick. So this is going to double our shelter capacity, which is a -- it's ground breaking for the city to do this. It's -- and one of the things it's doing is I think about it -- this is a homelessness and homicide prevention effort that's being put forth now B the city of Austin. It's just extraordinary. I have to recognize the leadership of council member Greg Casar who met with us sometime back and said let's figure if we can this happen and then all the others who have stepped forward to help.

[12:26:52 PM]

This is a time where the city of Austin is leading. I love that you started this meeting by the recognition that our mayor pro tem, one of our sponsors for this -- that -- the leadership that the city of Austin has shown in naming a black woman as mayor pro tem. This is, again, when the city of Austin is showing extraordinary leadership. It's setting an example right here in Austin. It's saving lives. And it's an example that will be carried across the united States. I will answer any questions but essentially you are doubling our shelter capacity.

>> Mayor Adler: Thank you.

>> Thank you so much. I want to thank you. I want to thank the entire dais for having worked through this on multiple budget sessions. I want to thank the real estate

[12:27:52 PM]

office for finding the best location. It was about two years ago that Kelly and Julie sat down and started reading some of the situations people were in on the wait list and suggested there was something we could do about it. I'm so proud that before I leave I've gotten the chance to work on this and finally get it done. I appreciate it and look forward to quickly converting the space into shelter space so we can pull folks off that wait list that are in a dangerous situation. So thank you.

>> Thank you

>> Mayor Adler: Thank you. For the record I don't think I have a conflict so I think I'm allowed to vote on this item on consent, but my wife, Diane, is on the board. So I'm not going to vote, so as to create the appearance of impropriety. But obviously something that I and my family supports. Council member tovo was the

[12:28:52 PM]

person we had called on.

>> Thank you. I have a question for staff on 1531. I had asked a question about what the three departments were that have the highest damage that was being covered by our insurance policy. This is as a result of the winter storm. The answer came back building services, Austin water, parks and recreation. I wonder within the parks and recreation, how much of the parks and recreation damage was attributable to the damage we're addressing here today on the agenda.

>> Yolanda Miller -- we can find out from someone from the parks and recreation someone

[12:29:53 PM]

might be on.

>> Great. While we're awaiting -- and you can follow up if you don't have it now, council, I was surprised to find that we -- we have a wonderful partnership with Zack Scot. It's a wonderful amenity. I was surprised in the back up to learn that the city pays for some of the operational costs including custodial costs and things. I did answer some things in the question and answer about to what extent do we do that for other entities operating on city land. It seems to be somewhat inconsistent. I would highlight that, not to suggest we go back and renegotiate with Zack Scott. I want to highlight as we look

[12:30:55 PM]

to set up the council work group to how we use our city owned land and how we address our city owned needs and work with partner organizations to benefit -- I think we need to take a look at our policies and

ensure consistency. We have issues -- the city hall parking garage I think are able get two hours of free parking. The other is one hour. We need consistency in how we interact with the partners.

>> Welcome that conversation and I do see the director. The answer to -- do you know the answer to council member tovo's question?

>> The question I had asked is whether that insurance policy of our deductible -- the city's deductible is a hundred thousand dollars per

[12:31:55 PM]

occurrence. For the winter storm our deductible -- I clarified to the Q and a the deductible would be a hundred thousand for all the city facilities and the top three were noted as building services, Austin water, and parks and rec. I didn't know if there were other facilities that fall within that or whether -- Zack Scott seems to have been damaged by the winter storm. I didn't know to what extent -- how much of the parks and rec damage is attributable to Zack Scott.

>> The parks and recreation department does not imagine the relationship and operations agreement associated with Zack Scott. So therefore, I am unaware of what percentage -- if it was attributed to parks and

[12:32:56 PM]

recreation department claim, I'm unaware of the percentage but I can find out the answer for you so that you'll have some clear information and I can explain what other claims were made by the parks and recreation department.

>> Thank you. City manager, I think it might be addressing as we address as a city how we craft more resilient city infrastructure to face some of the natural disasters we're seeing with increased frequency. I think it would be helpful to understand the extent of damage at all the facilities. If you can provide us -- if you would please provide us with information about the damages in those top three departments that suffered the most damage during the winter storm, I think that would be useful. Some of that exists in the after-action report but not in a comprehensive manner.

>> Will do.

>> Mayor, I do have comments

[12:33:57 PM]

about our ahfc item. I don't believe we voted on that

>> Mayor Adler: We have not. We'll have to get into that meeting to have that conversation.

>> Great. My last question -- this is also something that maybe staff will need to answer afterward. I asked for the human trafficking prevention plan that's part of the circulation of Americas formula one race. We got a one paragraph overview. My question to staff is is that the complete human trafficking plan, or is that the overview and they neglected to provide the rest of the materials? I don't need to hold it up today on consent to get that information but I am interested in it. We did pass a council resolution about really expanding our education on human trafficking. Ashley Richardson on my staff has attended several session with the mayor of Houston's office to look at how we can

[12:34:59 PM]

address trafficking broadly and use the resources created in Houston. I'm really interested in seeing some of that work move forward and wanted to see this plan as a model for how we work with other major events within our area. If there is additional information that would be useful. Also, manager, I want to flag you -- I think that resolution sort of halted and I would love to see it move forward. I had hoped I wouldn't have to bring another resolution on top of that but I think that's probably the next step to really get that education campaign out. Since we are talking about it, I appreciate our airport because they have done -- they have a very good poster campaign going on about trafficking, both in terms of wage theft as well as human trafficking within sex trafficking. So thank you to our airport for taking the lead on that. I'd like to see the ways in

[12:36:00 PM]

which our city can really expand those efforts much as Houston does.

>> Mayor Adler: Thank you. Council member Ellis?

>> Ellis: Thank you, mayor. Item 25 is about water infrastructure improvements and there's a lot of projects that will be improved in district 8. It's being proactive about some of the materials that are in our current water infrastructure system that the water utility and public works are being proactive about replacing that before something goes wrong and it becomes an urgent repair. There's a lot of projects, a hand full are in district 8, which is exciting for the communities, I know. I did have a question -- I guess to the city manager. I don't need an answer before moving this forward but I noticed there was another item, 24, where water infrastructure

[12:37:01 PM]

improvements were accompanied by bike and infrastructure improvements as well. As the project was taking place there was going to be multiple departments involved in recreating the streets. That infrastructure may already exist so that may not be the case for these projects in district 8 but I would love to know more about opportunities for implementing some of the other street safety initiatives as this construction is happening. So I don't need that answer before moving forward with item 25 but it caught my attention as a creative solution to making sure when we're doing construction we're only going once. We're doing all the improvements for all departments at the same time and creating the consistency throughout the city. Council member alter highlighted the importance of item 29 so I won't go into more detail about it. But I think it's hugely advantageous for our wild land areas and parks areas to get

[12:38:03 PM]

this wild fire risk resilience now. A lot of folks have worked on it a long time and it's necessary, especially in the places with a great mitigation. I'm appreciative this is moving forward today

>> Mayor Adler: Thank you. Mayor pro tem?

>> Harper-Madison: Thank you. Item 56 is the one I wanted to speak to. It's the approval resolution, initiating amendments to city code, and I am proud to support the item. I really appreciate the sponsors for bringing it forward, allowing residential development in areas that are commercial is a silver bullet. It will recognize the outdated zoning rules have -- by making the rules less exclusionary we can help home 3wi8der -- we can

[12:39:05 PM]

help home 3wi8d Eric -- home builders create more housing. I am concerned that the rules such as compatibility will dilute the effectiveness of this change. Until we stop treating apartment buildings as a threat to single family homes we are not going to achieve the compact and connected city that our comprehensive plan imagines. It will be hard to support our multimillion dollar transit investments. We'll fall short of the housing goals that we adopted in the strategic housing blueprint. I am happy to support this item and thankful to my colleagues for bringing it forward. I hope passing it, though, doesn't somehow do away with any of our recent sense of urgency to -- sense of urgency to address the affordability crisis

>> Mayor Adler: The consent agenda is in front of us. Items 1 through 66.

[12:40:07 PM]

Pulled are -- it's moved and seconded. Those in favor, raise your hand. Couple of housekeeping matters, colleagues. Beginning in January when we have meetings we're going to bring back music during lunchtime so we have proclamations will move to 5:30. As I said earlier, I need to leave early. I have a 6:15 or 6:30 flight to Washington, D.C. For the cyber security oversight group. My hope is to call up some of the items I think I need to be here for with your indulgence -- items 60, 62, 64 as well and 69 and 14. 60 is paid parental leave.

[12:41:07 PM]

62 is cost of housing. 64 is aeu. 69 and 14 are the south central water front matters. We can't consider those until we have executive session. We'll discuss that briefly. And I would propose now we call the two community public speakers so that we have them. I'm going to suggest we begin the executive session at 1:00 o'clock and eat lunch while we begin the executive session so they run concurrently. We have speakers that are coming from 2:00 o'clock. There's only one discussion matter. It's discussion postponement, I think. Might have 30 minutes of speakers depending on what we decide with the postponement issue. If we can I'm going to focus on those items so I can be here for those items to get those done and if there's time I'll

[12:42:08 PM]

be here for other items as well. Council member tovo?

>> I want to ask how we consider the music at noon is impacting musicians and whether that is a convenient time for them to come as we switch it from 5:30 to the noon hour. I'm glad to see proclamations moving back to 5:30. I think that's great. I wanted to ask about the south central. Are we - if someone could tell us whether or not we're posted to consider it on the 20th, that would be helpful - whether it's been advertised in the newspaper

>> Mayor Adler: My understanding is the processes have been completed so as to be able to post in the statesman on Monday, which will be the 7-days advanced notion. The hearing on the 2hh works. If that's the will of the council to postpone. And my suggestion would be that we do that and that would

[12:43:13 PM]

obviate the need for us to have to discuss the matters today.

>> I think I was someone who urged the executive session for some of the issues that didn't appear to need to be discussed -- or shouldn't be discussed on the dais. Given we're in a time crunch today I'm not

sure we need to resolve some of those issues today if we're taking up the issue that's broad enough -- I think we can tackle -- I'm comfortable tackling that executive session at a later date

>> Mayor Adler: Council member Kelly?

>> Kelly: I know there was a question asked of me I was not able to answer. Before covid times we used to have an invocation before the meetings. I was wondering if there were plans to bring that back

>> Mayor Adler: I hadn't intended on it. We had moved back to a moment

[12:44:14 PM]

of silence or reflection. Certainly we can go back to that if it's the will of council. Council member kitchen?

>> Kitchen: The items you mentioned you would like to be here sounds good. As we take them up, I would suggest we consider how long they'll take. I don't expect 60 to take as long as the others. Perhaps we could take that one first

>> Mayor Adler: Okay

>> Kitchen: I might be wrong

>> Mayor Adler: That's my expectation as well. Anything else? All right. So we're going to now take the noon public speakers. I think there are two. So the first speaker that I would call would be Alexa declar and Carol Ann rose Kennedy is on deck. You have three minutes.

>> Good morning.

[12:45:16 PM]

I'm with grass roots movement. We have been working on the Colorado river conservancy project. I'm here to share some of the findings and work. The Colorado river conservancy mission is to protect, restore the wild and scenic stretch. In order to do so we are building grass root led coalition including neighborhoods, environmental groups, government institutions and businesses to advocate for a community centric vision for the future of the river corridor. Over the past few months witch sent out mailers, held zoom meetings, gone door to door and talked to countless folks from community members to scientists, lawyers and environmental groups. We have learned of some of their concerns. From the impact of noise, dust and traffic and the building of Tesla, water privatization and

[12:46:16 PM]

fear of displacement. We have seen contrasting images of beauty and shocking neglect. A family of four swimming downstream from soapy water discharge. A bald eagle nest overlooking a filled in gravel pit. A herd of cows on eroding river banks. An island of rusty 18-wheeler tires. We are prepared to continue working with communities to address these issues. At the end of the day what these communities want is their neighborhood to be a clean and safe place for them and their children to grow, work, and play. The river has suffered from mining, erosion of banks, and dumping of trash but retains some of the natural eco system in many areas.

[12:47:17 PM]

As development continues tanned climate crisis worsens we have a choice to make. Will we work together to protect this beautiful habitat? Today I invite all of you and the city to participate in the long-term process of guiding sustainable development with community members at the seat of the table. We look forward to collaborating in the coming next year to protect T river. Thank you for your time

>> Mayor Adler: Thank you.

[12:48:20 PM]

>> Thank y'all for having me. I wrote this song in 2008 in memory of Jennifer Gail. It's called "Silent night" -- K N I G H T. Silent knight, holy fright. All is dark, all -- all is dark. Oh, hang on. Silent knight. Holy knight. I'm sorry.

>> Mayor Adler: That's okay.

>> I'll still make the three minutes. Silent knight. Holy fright.

[12:49:20 PM]

All is dark. Nothing's right. Round young virgins motherless child. Where's your mom, and who's your daddy? Take my hand and I'll hold you. Sleeping in heavenly peace. Muslims and blacks, Christians and Jews -- I love y'all. You love me too. Holy infants ignored for a while, come with me and I'll --

[12:50:26 PM]

oh, my god. Come with me and I'll give you a smile. Take my hand and I'll hold you, sleeping in heavenly peace. Time's up, right?

>> Mayor Adler: It is. Thank you so much.

>> Thank you.

>> Mayor Adler: All right, colleagues. It is almost ten to 1:00. At 1:00 o'clock we'll be in executive session. Council member alter, you pulled item 60. Did you have -- is that something we might be able to handle here?

>> Kitchen: I don't think we can handle it in five minutes but probably can in 15 minutes

>> Mayor Adler: Then let's.

[12:51:27 PM]

>> Do you have amended language or do you just want to discuss it?

>> Kitchen: I don't have amended language. I just want discuss

>> Mayor Adler: Let's go into executive session. Let's try to be there at 1:00 o'clock sharp to proceed. We'll take up three items. Council will discuss legal issues related to 14 and 69, which is the tirz pursuant to 55174. We'll take up personnel matters. When we're back in executive session, council member tovo, we can figure out how much time if any to put against these items. Without objection, let's go into executive session. It is 12:52. I don't -- I think so. We may touch briefly on the other one. You're trying to figure out

[12:52:27 PM]

whether to have everybody there. You don't need everybody there. The conversation we have, we don't need them for. We'll just talk timing. Without objection we're going into executive session. Time is 12:52. I'll see you guys at 1:00 o'clock. Grab your lunch.

[1:56:04 PM]

[Music].

[Music].

[2:00:21 PM]

[Music].

[Music].

[3:41:00 PM]

>> Mayor Adler: We'll call the speakers first so we can decide whether that will be postponed or not, and then we'll have a consent agenda. We'll find out how many people want to speak at that point, once we know -- okay. And then mayor pro tem, it's my intent to give you gavel while we go through speakers so I can run across the street, grab my bag, and come back.

[3:43:44 PM]

>> I'm sorry. I just don't have the --

>> Mayor Adler: 84 is consent postponement, yes? Thank you.

>> Casar: There's a number of speakers. I would assume [inaudible].

>> Mayor Adler: All right.

[3:44:45 PM]

We're going to go ahead and reconvene the Austin city council meeting here on December 9th, 2021. The time is 3:44. We have -- while we were gone, we -- in closed session we discussed legal issues related to 14 and 69. We really didn't get to that matter, but we did discuss personnel matters related to item 72, item 72. All right. So we're back in the agenda. I move we postpone items 14 and 69 to a special called meeting on December 20th. Is there a second to the motion? Councilmember Kelly seconds that. Councilmember Kelly, did you want to speak to that?

>> Kelly: I just strongly feel that postponing will give us a longer amount of time to engage

[3:45:46 PM]

in discussion about this important topic and the future of that tirz area, and really allow us to dig deeper into what it is that we're trying to accomplish there, and to gain consensus among the council body in doing so.

>> Mayor Adler: It's been moved and seconded. Those in favor of the postponement, please raise your hand. Those opposed? It's unanimous with councilmembers Tovo and Fuentes off the dais. Those two items are postponed until the 20th. That gets to zoning. There is one discussion item on zoning. It is a postponement request. I'm going to call that item first, let one speaker speak on each side of the postponement. We'll take a vote and then that will tell us what happens next. At that point, we can go through the consent agenda so that speakers know whether they need to speak or not, so they know what's going to just be on

[3:46:46 PM]

consent and otherwise get approved.

>> Just quickly, item 88 is the discussion postponement. It's c14-2021-0009, 1725 Toomey. We do have Daniel here to speak to an indefinite postponement request and Amanda on behalf of the applicant. The case has been postponed eight times thus far. This would be the third postponement request by the neighborhood, and the previous requests were by the staff.

>> Mayor Adler: Thank you. Councilmember Kitchen.

>> Kitchen: At the appropriate time, I guess it's not now, I'm not sure what the procedure is. It's my intent to support moving this item on first reading, so when it's appropriate to get to that point, I'll speak to it.

>> Mayor Adler: Sounds good we have two speakers. Let's hear the speaker who wants to postpone this matter indefinitely. Why don't you come on down. On deck will be the applicant. You have three minutes.

[3:47:48 PM]

>> Thank you. Really, all the tenants here on-site -- I'm representing a tenant group. There's now two of them representing about 17 of them. And there's no lease amendments, we're nowhere near any progress because of -- you could call it postponements, it's not so much the time as it is the last-minute updates to -- like lease amendments. And, you know, the way that this job -- this rezone -- occupied space, it was brought on to us by seeing the sign on the site. And as far as I know, it's a very uncommon practice when dealing with tenants. And been nothing but, kind of, you know, as fast as it can go. And so if this does pass on first consent, the owner can

[3:48:51 PM]

legally do a 30 day to vacate. There's new tenants that are just signing up within the last month or two and we just got them to agree to tell new people that are signing up that there's a possible redevelopment. And so there's no answers and it just continues to get pushed. Not push support from local representation. And, you know, the tenants that I'm representing is the vast majority of them. And, you know, honestly, this project, you know, it reeks of, you know, of too much involvement. And they're scared. And it's nothing like I've ever seen before. And so six months, because there's difficult topics with it. And it's an issue that, you

[3:49:54 PM]

know, that carried a lot of weight. And so, you know, I'd be willing to bring it down, but, you know, it should be postponed. And like I said, legally, you know, if you pass it on first reading, tomorrow it could be 30 days. And that, I believe, was their intention, you know, by not telling us when this rezone was going to happen until the signs came up. And so, you know, in the face of displacement, I think a postponement to at least allow the tenants and the ones I speak for some time to breathe and allow some proper lease amendments to come in, because they're coming in through Basa, which, you know, I haven't seen one signed or executed template of a contract. They're blanks and they're from

[3:50:54 PM]

Basta.

[Buzzer sounding]

>> Thank you.

>> Mayor Adler: Thank you. Go ahead, please. You have three minutes. Deborah?

>> Good afternoon, mayor and council, I'm Amanda. I respectfully request this case move forward today. We have worked with the overall tenants association. There are lease amendments that have been executed and are in place. And we have agreed to the requester's postponement at two separate incidences, and we respectfully request that this project move forward today. Thank you.

>> I think the councilmember might have a question.

>> Kitchen: Well just quickly.

[3:51:55 PM]

So, I understand that there are lease agreements and there -- that have been signed?

>> Yes, ma'am.

>> Kitchen: Okay. Thank you.

>> Mayor Adler: All right.

>> Mayor.

>> Mayor Adler: Yes, councilmember Ellis.

>> Ellis: I just wanted to make sure I was understanding. The speaker had said that if it passed today that the clock would start, but passing on first reading it would still come back to us for second and third reading. I just wanted to make sure I was clear on that.

>> Mayor Adler: Yes. Councilmember Kitchen.

>> Kitchen: Would this be the appropriate time to -- I guess -- I'm going to speak to -- and you tell me if this is not the appropriate time, but I'm going to speak to why I'm opposing the postponement and why I will, after that, be supporting moving forward on first reading. So -- and I know Mr. Sewell, this is a very difficult case. And it's been very difficult, especially for the tenants who live there now.

[3:52:55 PM]

This is an older apartment complex where tenants have lived there for some time. And the cost of living there right now in Toomey is not high considering what's around it. And what's being discussed is the demolition of the building, and the building of a taller rental complex. So it's been a tough issue and there's been lots of conversation. I -- and we have postponed it a couple of times. At this point in time, I am comfortable opposing the postponement and moving forward on first reading only, subject to a range of requirements and agreements that the applicant has agreed to that I will be reading into the record when I make the motion to approve it on first reading, you know, if we get to that point. Just to give you quickly what those are -- and I'll talk to

[3:53:57 PM]

more detail later -- but we do have an agreement. And I believe the applicant has changed their application to limit this to 75 feet, not the original 90 feet. There are also agreements in place related to the lease agreements with the existing tenants, and agreements in place related to percentage of affordable housing moving forward, as well as some agreements in place with regard to some other issues related to community benefits. So, mayor, should I read all of those right now, or . . . ?

>> Mayor Adler: Not yet. When we have a motion to approve that.

>> Kitchen: Okay.

>> Mayor Adler: I want to ask, is there a motion from the dais to postpone this item 88? Hearing none, it's going to stay on the consent agenda for approval on first reading.

[3:54:59 PM]

I want the speakers to hear what is the intention on the consent agenda in case they choose not to speak if it looks like one of their items is going to be postponed to another day. If someone spoke to an item being postponed, you have to speak to the postponement, not to the merits of the matter.

>> I'll read the proposed stponements. Item 79 to January 27th, Rogers lane. Item number 80 has an indefinite postponement by the applicant, that's the case on north I-35. Item 81 has a postponement request by the neighborhood to January 27th, the case on Jefferson. Item number 82 and 83 are related, the regime cases. They both have a postponement request from the applicant -- sorry, from the neighborhood to January 27th. Items number 84 and 85 have a postponement request from councilmember Casar until January 27th. And those complete the cases

[3:56:01 PM]

that we have non-contested postponements on.

>> Mayor Adler: So the items postponed are 79, 81, 81, 82, 83, 84, 85. If you signed up to speak, you can't speak to the merits because those matters are being postponed on consent. The items remaining for some form of approval would be 76, 77, 78, 86, 87, 88, 89, and 90. Is that correct? Okay.

>> Casar: And mayor, I think Mr. Rusthoven mentioned the names of several streets, but 84 and 85 is Brady and brownie. We have several folks signed up. Folks have the full right to speak, but the intent is to postpone it until January so there can be conversations on affordability and with the community.

>> Mayor Adler: That's right. The dais decided if people spoke on a question being postponed, they could only speak to the postponement, not the merits. I was assured my colleagues would help support that request.

[3:57:05 PM]

So, let's see who we have that wishes to speak. Would you call the ones -- call them both, please, both lists?

>> Yes, mayor. Do you want me to start with the moment speakers? Remote speakers?

>> Mayor Adler: No. Start with the ones that are here, please. First identify which item they're signed up to speak on.

>> I have Maria Bowen on item 79.

>> Mayor Adler: Do you want to speak on the question of postponement? Whether or not this case should be postponed? It's on the consent agenda to be postponed. Which means the merits will be discussed on a different day.

>> I was requesting a postponement because I haven't had sufficient information as to how this whole process works.

>> Mayor Adler: It looks like it's going to be postponed on consent.

>> Okay. So that means -- I'm sorry.

>> Mayor Adler: You don't have to talk.

>> I don't have to speak?

[3:58:05 PM]

Just come back on the 27th, prepared to go for the second and third reading?

>> Mayor Adler: Uh-huh.

>> Thank you so very much. Thk you for your time.

>> You'll need to register.

>> Mayor Adler: You'll need to reregister.

>> Exactly. I will. Thank you.

>> Mayor Adler: Thank you.

>> Item 80 we have John Joseph.

>> Mayor Adler: All right. He doesn't need to speak. He's waved it off.

>> Item 88 we have David piper and Gary Hamilton.

>> Mayor Adler: The case is being postponed. Do you wish to speak on the postponement?

>> I think he's -- 88's not postponed.

>> Mayor Adler: No, 88 is going to be going on first reading. Do you want to speak on 88? .

>> On the merits, right?

>> Mayor Adler: Yes.

[3:59:06 PM]

It's considered the first reading today.

>> I'm here to speak about this case which is behind Chuy's restaurant. The city needs affordable housing. We can get so much affordable good out of affordable land -- affordability unlocked, vmu and others. If this rezoning case is approved and gives away a height bonus, which expects investors to undergo vmu and smart applications and instead file for rezoning and minimal affording requirements, why would investors provide affordability if they can get improved requirements without vmu options? I understand there's a separate agreement for affordability. I'll address that later. Smart housing options may not be a fit for current owner

[4:00:12 PM]

plans. I urge you to vote against this rezoning case and a better project to emerge. There's no good reason to grant a height increase at this location which would set a precedent for the area, lead to higher housing prices in the after math and kwaush any hope for housing prices in butler ores. This is why this case has failed to get a recommendation from any previous board or commission. The heritage pecan was removed and it freed up a sizable space. The tree removal application had the box checked that states tree removal is not development related.

[4:01:13 PM]

Subsequently the city arborist office stated in an e-mail that the tree permit would not have been granted if they had known a rezoning request was imminent. Regarding the tenant's agreement with the applicant this has become a hostage case. The tenants deserve a better deal. They gave fair consideration in the form of nonopposition to the zoning case. It's wrong that the applicant is putting the tenants in the position of getting nothing unless the zoning goes through. The tenants have no control of that and should receive benefits from their consideration of the nonopposition they are giving. The contingency of the zoning outcome is divided in tenants Z and a and many others. Thanks

>> Mayor Adler: Thank you.

[4:02:13 PM]

Second speaker -- does the second speaker want to speak? No. Got you. Thank you.

>> Next speaker is on 89, Eugene Sutton.

>> My name is Eugene Sutton. Time constraints and procedural errors are preventing a private restrictive covenant from being achieved on the property. We agreed with with the ordinance and previously discussed placement of three units. The designation of sf 5 allows for single driveway of the units, additional units on the site -- floodplains exist on 1.5 saker -- 1.5 acres.

[4:03:14 PM]

The achievement of four make additional concerns. Newly developed four unit are concerned about the height. Neighborhood rezoning processes are under -- on going in the areas -- area's older residents are seeing financial gain. Those closest to the government have greater than the average acreage -- are least likely to sign. Older approved development of 231 condos that is in my backyard began construction in February. Allows for semitruck traffic on older, narrow undeveloped roadways. Entrance via ditmar is awaiting completion over south boggy creek. Rezoning in the past year --

[4:04:14 PM]

911 and 915 ditmar. Po tigs Eric -- petitioners brought the number down. Site plans have been approved for 1903 and 1905. Current rezone issue with 1905 with 20-unit request. Zoning commissioner king spoke regarding flooding issues on the properties. It abuts our area and documented flooding was expressed. Our neighborhood common themes are exacerbated by water shed issues as multiple large and small retention ponds surround the area. Bar ditches are a solution to drainage just beyond our boundaries -- appears to be nonrepresentational and any

[4:05:15 PM]

plan rezoned -- future integrity hangs in a balance between the city needs and quality of life.

>> Okay.

>> Mamayor, we have five remote speakers signed up to speak on 84 or 85, which are both being postponed

>> Mayor Adler: Okay. Let's find out. What are their names and do they want to speak on a question of postponement?

>> Sure. The first speaker is Mona knoll on item 84.

>> Yes. This is Mona. I do not think we should postpone. I think we should move ahead with the third reading and make a decision. This has been going on for several months, and I appreciate your time

>> Mayor Adler: Thank you.

>> The next speaker is jade

[4:06:22 PM]

Lavera on item 84.

>> Hello. Yes. I do not agree with the postponement. Do not feel we should postpone. This has been postponed several times. We've been dealing with this over nine months. There has been discussions for providing recommendations that were continued with our rep and neighborhood communication. We've spent over nine months on this and are still being ignored. Proposing 10 per cent of the units at staff recommendation equals to four units. At the application request at full capacity would be a max of 7 units. This is less than 10 units overall. This makes 0 impact to affordability in our district. More residents would be displaced than what is being provided in affordable units for this community and we simply don't want anymore

[4:07:23 PM]

postponements and would like for this to be voted on and hashed out today.

>> Mayor Adler: Does the next speaker want to speak on postponement?

>> Monica Guzman

>> Mayor Adler: Do you want to speak.

>> No. Thank you, mayor. I'm going to acknowledge the postponement. Thank you

>> Mayor Adler: Thank you.

>> Next speaker is mark nayeden on item 88.

>> Hello. I am speaking to reiterate my position and the tenant's association position of nonopposition to this case.

[4:08:26 PM]

If there are any questions, I'm happy to answer questions

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

>> Next speaker is Bobby Rigby on item 88.

>> Good afternoon and thank you. I don't know if you can hear me.

>> Mayor Adler: Yes.

>> Thank you. I live in district 5. I've lived there 33 years. I appreciate you hearing my opposition to the zoning case which as you know is located by Chuy's restaurant. This is about people and affordable housing. It's purely speculative profit. This is my plea to not allow the valid added height without city enforced affordability conditions. I think council member Ann is working on that. At the first reading I would go

[4:09:27 PM]

for that. What I'm wanting is take the height for the affordable and 10 per cent of the units put them aside. The owner can actually be quite satisfied with their existing zoning. Planning commission forwarded this to council without recommendation. It's a perfect example of what the water front overlay was put to protect against. The height already allowed is already tall, done within code. Please note the overlay height limit is lower of 96 feet or base zoning, which is 60 feet in this case. Two buildings have butler E shores have 90 feet. They're different districts. Those PUC's are on the boulevard and provided for public benefit -- mixed use, public access. Nearby Barton place condos are 75 on the rear but the owners

[4:10:30 PM]

traded their 15 foot height at the back for keeping the frontage on Barton Springs to two stories. They created a trail. These developers kicked in enough affordable housing on south mor to leverage federal dollars and renovate the foundation's entire cases. It appears to be speculative zoning. It's listed for \$32 million in hopes of the height increase. This would accelerate the price of all developing properties such as shady grove, the iconic restaurants that have come to define the area. Besides 227 feet, the Zilker neighborhood is home to other communities. Blue Bonnet studios on south

[4:11:33 PM]

Lamar is a foundation community and pathways at Goodrich place was recognized by the United States secretary of housing. Other units have been built in the neighborhood. Makes no sense to abandon what's working and kick off a luxury housing. Other neighbors are speaking to reasons to oppose. Please deny the request. Thank you so much for hearing us.

>> Mayor, that concludes all the speakers

>> Mayor Adler: Okay. Colleagues, let's handle the consent agenda here.

>> I'm from housing and planning. Item 76, I can offer this for

[4:12:38 PM]

consent. Item 78, January 27th, 2022. Item 80 is -- this is indefinite postponement request by applicant. 81 is postponement request by the neighborhood to January 27th, 2022. 82 is npa -- this is postponement request by the neighborhood to January 27th, 2022. Item 84 is case npa 2021 -- this is postponement request, January 27th, 2022.

[4:13:48 PM]

[Reading rapidly]. I can offer this case for consent approval on second and third readings. Item 87 is case C 142021 -- I can offer this for consent approval on second and third readings. Item number 88 is case C 14-2021. I can offer this for consent approval on first reading. Council member kitchen, did you want me to read the conditions or would you like to read them again?

>> Kitchen: Shall I read them now, mayor? Start with yours and then I will read the rest of them.

>> First one is maximum height -- 75 feet. The second one is a restriction on short term rentals. I will have to be working with the law department on that before we come back for a second and third reason because of legal issues there. The third one is desire to have some public amenities near the

[4:14:49 PM]

trail head on the property where it abuts the new trail head. I'll work with the law department to see what we can do with that -- not so much as a restriction as an addition

>> Kitchen: I'll speak now. So, colleagues, there's basically three buckets of agreements that have been reached on -- that allows us to -- or allows me to agree to go forward on first reading only. The first bucket is the ones that Jerry just read out, and that is a maximum of 75 feet, a prohibition on str's. No str's. That's something we'll work out on how that's captured. The third one is a publicly accessible vegetative buffer in the area along toomi. Those of you who are familiar with the area, that's along the

[4:15:49 PM]

road at the corner with stirzig. It's right across the street from where the trail is. The concept here is to allow for an area that the public can use that's a green space area that preserves the pecan trees there and really programs and activates and supports the lady bird lake trail had or may be activated as landscape preserving existing trees and providing new vegetation. We will be working on how that language is captured. That's one bucket of the three buckets of the agreements. The other two buckets are in relation -- both of them are related to affordability and the preservation of the affordable units and the protections for the tenants. The existing tenants.

[4:16:50 PM]

First off, with regarding to moving forward around affordability, these will be captured in a restrictive covenant that will be enforced through home base, and that restrictive covenant will be signed before second and third reading and let me make it clear. I will not be able to support this on second and third reading unless and until that restrictive covenant is -- unless and until those agreements are carried through. So you all know what has been volunteered by the applicant for this restrictive covenant is a reservation of 15 per cent of rental residential units at up to 80 per cent mfi for a period of 40 years and we're in conversations about a mix of those being family friendly. The purpose of that is to preserve the level of

[4:17:51 PM]

affordability that now exists at this site. This is a site where we have a number of people that are living at the site right now that are under market rate. So that's to preserve that. The expectation is that this will be rental units. There are also requirements around owner occupied units of five per cent and up to 80 per cent mfi. And then there's a right of return for the current Barton tenants. There's mou that has been signed by the applicant and Barton tenants that lay out the right of return. There's notification that's occurred and continuing to occur about the plans for redevelopment. There's also -- there was mentioned earlier about a lease agreement. The applicant has signed lease agreements with the existing tenants and to let you know what those encompass.

[4:18:52 PM]

They encompass a relocation assistance for various things that totals \$2,750. The other component is a 10 per cent cap on rents going up on the next three years. There's no rent for three months before the demolition. I mentioned the right of return. There's a number of other associated kinds of aspects of that agreement but those are the primary aspects of it. From my perspective -- there's one other thing I

want to mention that we'll continue to work with the applicant on. I've mentioned tumi road before. It's one of those roads that -- it's getting a lot of impact on traffic and so the residents along the road right now, primarily Barton place, are interested in continuing to talk with our department, our transportation department, as well as the applicants on what can be done to help address

[4:19:55 PM]

traffic issues on the road. So in closing to all that, I want to just say as I said earlier, this has been -- this is a difficult case. You heard from a number of people about their concerns about how different things were handled. Their concerns about tenants feeling like they were being held hostage. You heard about concerns related to tree removal. But the bottom line here is at this point in time, we have an agreement to move forward with a greater level of affordability than we would have under vmu. A greater level of affordability than the city would be able to ask for -- I guess that's what I'm trying to say. So I feel like -- we have tenant protections in place that were negotiated between the tenants and the applic.t. So I feel like the combination

[4:20:55 PM]

of the 15 per cent level of affordability that's designed to preserve the existing affordability there combined with the other community benefits warrant moving forward on first ading. Again, as I said, if these do not materialize in a signed, enforceability restrictive covenant I won't support it on second and third.

>> Mayor Adler: The consent agenda is 76 through 89. I want to call 98 separately in a moment.

>> If I could read in 98 real quick. 89 -- I can offer this for consent approval on second and third readings. We'll get back to 90 after we do 44

>> Kitchen: Could I comment on that one also?

>> Mayor Adler: Okay

>> Kitchen: That's also district five. We passed it on first reading with a limitation to four

[4:21:55 PM]

dwelling units. That has been captured in the ordnance. We also -- let's see. Sorry. We also -- there was also -- we passed it on first reading and asked to move second and third to this time because there was a potential for a restrictive covenant. That has not panned out, but the applicant did agree to two of the three requests from the neighborhood, and one of those is for a single driveway. The other one is for

limitation on str's. And so my expectation is -- I wanted to put on the record that those two items had been agreed to by the applicant

>> Mayor Adler: Sounds good. We have consent itemings, which are here on zoning -- items -- 76 through 89. Is there a motion to pass the

[4:22:55 PM]

consent agenda? Any second? All those in favor raise your hand. Those opposed? Unanimous on the dais. We're going to consider two items, item 44 and 90. These relate to the pilot nonpod. We've had an opportunity for the public to speak. Is there a motion to approve the two items? Council member Fuentes makes the motion. Any second.

>> I have a quick question. I have a motion that should have been read out T everyone

>> Mayor Adler: Let's hold off on this item and take up item 64 and come back to this item 90 and the like.

>> All right

>> Mayor Adler: Item 64.

[4:23:56 PM]

>> 64 or 44

>> Mayor Adler: 44? No?

>> What are we doing?

>> Mayor Adler: We're going to take up the items I need to be here for. You can pass the plat items without me here. I'm going to let that go in case I'm not here. Item 64.

>> We still have to close out the agenda

>> Mayor Adler: We have to do that as well.

>> I'll move approval of the version distributed this morning

>> Mayor Adler: Okay. Did that version have a number assigned to it?

>> 2, I think

>> Mayor Adler: Council member pool seconds the motion. We have some amendments that have been suggested to this. Have you seen any of the

[4:24:57 PM]

amendments, council member tovo, that are acceptable to you?

>> I have not had time to carefully look at them, though I did skim them. I would suggest -- why don't I lay out a quick summary of this. I know we need to move quickly

>> Mayor Adler: I'm really interested in getting to the amendments that would be in controversy if we can. So if you can lay it out quickly.

>> Let me say, you know, I think this resolution does provide -- does respond to some of the community requests that we heard to expand the ability to have -- you know, we had ample time during the land development code conversations to talk about accessory dwelling units. There was not what I would regard as a community consensus around some elements, including

[4:25:57 PM]

parking, waivers of parking requirements, and some of the more detailed conversations that I would suggest we table until later. But there did seem to be strong support for allowing accessory dwelling units in categories that don't currently allow them. We've also benefitted from research suggesting that the biggest impediment to building accessory dwelling units is access to capital. When I brought forward the resolution -- I think it was last spring -- that asked our staff to look at some of those options that was a big part of it. This resolution also directs further action in that regard. It initiates the process of setting up some financial incentives through chapter 380 policy that would provide for an access -- provide for some assistance and financial assistance for those accessory

[4:26:58 PM]

dwelling units that are income restricted. And you'll see as the last what I would regard as a placeholder, which is engaging -- directs the manager to engage financial elements to encourage development of third party loans. This was directed in the financial resolution. We got back some information from staff suggesting that there are not any immediate answers to that particular concern. In January I'll bring forward -- probably January, possibly early February, a subsequent ifc expressing ideas, laying out specific ideas that the city could entertain that I think would address both this issue of putting individual property owners in direct contact with those third party lenders that are interested but also address an issue raised by the greater Austin hispanic chamber of

[4:27:59 PM]

commerce -- taking a role in connecting small business with local lenders. I see an opportunity to join those in one program and I'll bring forward an ISD that does that. We've received lots of feedback on different things people would like us to contemplate. One thing I've heard is this doesn't go as far as some people would like it to and that, you know, there are opportunities to do more. I would suggest the approach I've taken here -- is to do what is within -- to do today -- to move forward actions today where I believe there's a lot of community support and council consensus to do so. It is not intended to be the only thing we do with accessory dwelling units. I'm coming back at one of the next meetings with further action related to accessory

[4:29:00 PM]

dwelling units and I think there are other conversations remaining to be had. Some of what is being suggested might work really well and there might be significant support for it if we can -- a lot of it hinges on how carefully we are able to -- our city staff are able to construct a preservation requirement. If we can come up with some provisions that really protect that -- really make it clear that that primary structure is going to be preserved, then I think we are able -- I think we will be able to get support for some of the other measures that community groups and others have suggested. At the moment I still have concerns and I think others do too, that changing lot size, going down in lot size and other things that have been suggested will result in an increased number of demolitions which does not have an impact of lowering housing costs. In fact, it drives those costs

[4:30:00 PM]

up. So a lot depends on that preservation, on those preservation requirements. So I would suggest -- I would strongly suggest in the nature of both in -- out of concern object our timing here today but also because of what we all talked about in our housing conversations last week, an interest in really moving forward where we have consensus and trying to keep the dialogue productive -- I would suggest we don't get mired down in some of those amendments. Council member Ellis you suggested one that is a one-wording change, I think. I think it is reflected in the version I handed out this morning to make it clear what we're asking staff to do is come back to us with a stream-line definition that would eliminate the distinction between internal and external. If you've taken a look at that one, I believe we've addressed

[4:31:01 PM]

that concern

>> Ellis: I have seen that and I really appreciate it. So I will withdraw my amendment since it seems to be moving along.

>> Mayor Adler: Thank you. I appreciate that. Council member tovo, I appreciate you setting the stage for this. I agree with that. You know, we had the work session to figure out the things we could get nine votes. I'd like for us to go further than this. I think there are other people that are going to be trying -- myself included -- other possibilities to expand on this. But -- I'm ready to call another work session for us to work through some of those ideas as we did last week. But we're not going to be able to get to a lot of those things today. As I had committed I'm not going to vote for anything that doesn't look like it has nine votes in support today. Because I think it's important that in this process we're doing right now, we move forward in a consensus kind of way as we discussed. So there's a motion and a

[4:32:02 PM]

second with respect to item number 64. Any amendments or discussion? Council member Casar?

>> Casar: As we talked about on Tuesday, I had some clarifying amendments but out of the spirit of speeding this up and not getting too deep into the discussion because we know this is an initiating step I wanted to see if I could voice my two questions here and if the sponsor and manager understood my clarifying points, I don't think we'd have to do amendments, if that's okay

>> Mayor Adler: Okay

>> Casar: One point was that we're trying to make it easier to add Adu's but the goal of what we would get back here would not be to reduce the number of units that anyone were able to have on their property. The point would be to make it easier that the units you are allowed to build that you could build them but we wouldn't want the unintended consequence to be that ultimately any place

[4:33:05 PM]

you could do less. Our goal is to make it easier for people to add more housing. I wanted to see if that was the ultimate intent so the manager could know as they craft this that's the way we're headed

>> Mayor Adler: Council member tovo.

>> I think it might be the one that involves the one we described in the work session the other day. Having wrestled with that a bit, I am not sure what other examples might fall within that. My guess is if that's the only scenario -- if those lots are the only ones that are captured by that kind of piece, that there might be, you know, strong agreement to make that

[4:34:05 PM]

possible. I don't know whether there are other examples that are going to fall within that, which is why I have structured this in such a way that we have the manager coming back to council with laying out all the options -- not just those that result in the same number, which in that case would be three. I think we need that information laid out so that we can have a real conversation about what the impact is on single family three lots of different sizes so there are not surprises for the community. All of us have gotten lots of e-mail over the last couple of weeks about moving forward, concerns about moving forward with code amendments at a time where significant numbers of members in the community have asked us not to without their direct input. So I want to be sure that we have laid out that information clearly for people before we take action with regard to single family three and what happens after we eliminate distinctions among those different accessory dwelling units so I want all of the

[4:35:07 PM]

options -- both those that preserve the same number of units which in some cases would be three units -- those are not at the moment three residential units. Those are not three units that a homeowner or property owner would have the ability to rent.

>> So by passing this we could have options before us where the number of units that is allowed on a property goes downward

>> Mayor Adler: I guess they could have the opportunity where units go up as well. I read this to -- the main thrust is to initiate an amendment in sf 1 and sf 2 areas that are basically a preservation issue.

>> I think it increases it

>> Mayor Adler: Potentially.

>> It certainly wouldn't decrease it. It's providing them with an option they don't have and it's

[4:36:08 PM]

initiating the amendment.

>> Mayor Adler: My point -- in sf 1 and sf 2, the first section, that's the actualized part. We asking to initial it -- there's a clause that talks to sf 3 and is asking staff to come back and evaluate whether those provisions should be applied to sf 3. We're not initiating anything in sf 3 at this point.

>> I look forward to the initiating item. I think we could have a unanimous vote on it. The idea of having more units while you preserve the front house and the bonus function where you don't take the house

down to the stubs but are keeping the house -- I think having a bonus or incentive is a good idea. I feel comfortable moving forward with that. Where I'm uncomfortable -- and

[4:37:10 PM]

posted the amendment thinking it was clear. The other option that would be brought forward would add housing or make it easier to add the housing that you are entitled to, even if it was making it easier to have the housing entitled to -- that's fine. I am concerned and not sure how to vote. If we're voting on something that would reduce the number of units allowed on the lot -- I didn't know that is something we would talk about today. I was trying to see whether or not that was part of the conversation

>> Mayor Adler: I wouldn't support something that reduces the number of units on a lot.

>> We're not taking action on that at all. We're asking them to come back with different options.

>> Are we not taking actions that would start code amendments to start the different categories?

>> We're doing it in a two-step process. We're not initiating any code amendments to collapse the definition. We're asking the nj Eric -- the

[4:38:13 PM]

manager to come back by February outlining what the different options are and how they would impact the number of units allowed as well as structures, which will be different.

>> Understood.

>> That piece is strictly a come back to us outlining multiple options.

>> Got it. Some of the options that he presents may well reduce the number of units but we aren't initiating any code amendments to do so.

>> We are not initiating any code amendments to do so. Before we go too far down the path -- it's been stated we're not reducing the housing in single family one or two. We're initiating code amendments that would increase. The language we're using is important as we continue the conversation. We are initiating to the extent -- what we're initiating is limited to the chapter 380

[4:39:13 PM]

sf 1 and 2.

>> We're initiating sf -- we're initiating preservation bonus in sf 1 and 2

>> Mayor Adler: Correct.

>> We're taking a look at collapsing or changing categories which would be across all of the different categories.

>> Correct.

>> We're looking at all the different options. Some of those options could result in fewer units being allowed than are allowed today. Some of those may result in the same amount. Some may result in --

>> Mayor Adler: We don't know.

>> Not taking away entitlements. We could talk about Na at length but single -- it's not taking away entitlements to rent out places --

>> Mayor Adler: Right. But the direct answer to the question he was asking is the only thing we're initiating is sf 1 where we're adding in units. That WHE first resolve clause. With respect to the number of units that's the one, two, three, fourth resolved clause

[4:40:14 PM]

that asks for information with respect to what would happen if we applied that to sf 3 and also asking.

>> You know, the manager is going to go and do this work. We want to have a general sense of what it is we want out of the work. My sense and I'm happy to support it if the strong sense is what we're sending the manager to do is make it easier to add more units on the lot and that it's really not what we're trying to do, to reduce the number of units that one is allowed to build on such a lot

>> Mayor Adler: I look at reducing the number of units in the same way some would look at -- there may be people on the dais that would like to do that and I'm sure there are. We're not taking any action to do that. I wouldn't support action to reduce the number of units, so if we continue to operate in a world where we're trying to find consensus, there wouldn't

[4:41:15 PM]

be consensus for the scenario that you're talking about.

>> And, mayor, to be clear, I haven't heard anybody on the dais express -- on any tract in any category at any point during our land development.

>> Sorry

>> Mayor Adler: To that end, I think the question that you have raised is an important question to raise and discuss. Council member tovo? Mayor pro tem and council member kitchen?

>> Harper-madison: What I've

[4:42:15 PM]

decided to do is bring back an ifc that addresses some of the things that we're missing. That said in the spirit of consensus and expediency I would encourage my other colleagues to do the same. That said, though, I really think that the author of this item -- council member tovo, I think you're going to like the things we're bringing forward. What I'm trying to do is avoid a lot of my district one rez dents not having access -- there are things that affect very unique pockets that I think these items will help to relieve, in which case in the future I hope -- I'll bring that item forward and I hope you'll support it. Thank you

>> Mayor Adler: If it would be helpful to have another work session, we can do that as well. Any further discussion on this

[4:43:18 PM]

motion? Council member kitchen?

>> Kitchen: I want to reiterate what cou member tovo and the mayor said. There's no intent here or action here we are taking today -- I want the public to hear that because I don't want the public to hear it in the wrong way. Nobody on this dais and there's no intent in what we are voting on. There's nothing in this resolution that reduces the entitlements. I just want to be real clear about that

>> Mayor Adler: Any further discussion?

>> I just want to touch base here because it was not my -- it was not my read of this that was the point of it. I just had a sentence to make that extra clear. I wanted that reiterated by myself and everyone else. Manager, I think it's probably clear to you and your staff that the goal is to add more housing or make it easier to add the housing you're allowed to add

[4:44:18 PM]

>> Mayor Adler: Or the reach of the housing that can be done. Council member Ellis?

>> Ellis: I'm echo appreciation for bringing this up. Making it easier for folks without inadvertent impacts. I appreciate us being able to have the conversation about this, potentially being an issue we should keep on our mind as --

>> Mayor Adler: Sounds good. Council member alter?

>> Alter: Thank you. Appreciate council member tovo for bringing this forward and her many resolutions related to Adu's which I've had opportunity over the years to cosponsor her work as well as with council member Garza on the family homestead initiative. I want to reiterate a point that I think council member tovo made earlier that I think is important for affordability conversation so that we can focus on the problems that we're trying to solve.

[4:45:19 PM]

For some of us, trying to figure out how you preserve the houses so that when you allow the Adu's you don't incentivize demolition at the same time is really a key problem that we need to solve before we can consider adding more density and making some of the other changes that might make sense. We did not succeed in the draft that we had before us before in coming up with a real preservation incentive. I believe there are ways forward that we could do that, and then if we could do that, we could open up a lot of other possibilities for further enhancements for Adu's but when we add every bell and whether I say -- bell and whistle to everything we don't solve a core problem which is of concern. So -- another problem I would say in here and there are multiple ways of looking at it, but I think there's a concern if we're going to create the

[4:46:21 PM]

Adu's that we don't just create sdr's that are used in certain ways. There are some that are used to help people stay at home and there's other kinds of situations, particularly with some of the investors that we have. So we need to figure out how we can resolve those issues legally and in our set-up and once we can figure out clear mechanisms to do that, then we can consider a lot of the other things that have been brought up and I think that's something that's gotten lost in some of the conversations, is that each of us are dealing with different neighborhoods and different things, and that is just as you have a concern, mayor pro tem, about the size of lots that you feel really strongly that we need to address, others have these other things -- I'm not saying you don't care about the preservation. I just want to clarify that because I think it's been something through the process of drafting this that in our

[4:47:21 PM]

conversations of those who are cosponsoring that it's become more clear and I think is useful to understand as we're trying to come together to move forward on things where there's consensus -- some of these things have to be resolved for us to get to the other pieces effectively and at the level so the community can come with us on this journey.

>> Mayor Adler: Sounds good. Ready to take a vote on this item. Let's take a vote on 64. Those in favor, please raise your hand. Those opposed -- unanimous on the dais. 64 -- passes. Colleagues, I understand we're going to lose staff on the housing finance corporation momentarily. I think -- that's not going to take longer us to pass. Sounds like there's support for the direction I propose. I'm going to recess the Austin city council meeting at this point here at 4:48 on December 9, 2021. I'm going to convene the

[4:48:25 PM]

housing Austin finance corporation meeting. Do we have staff for that?

>> We do

>> Mayor Adler: Good to see you. I want to reconvene the meeting. We were in recess after taking speakers earlier. What's on the consent agenda?

>> Thank you. Pproing the meeting minutes. The second item you've heard from speakers this morning is authorizing staff to move forward with negotiation and execution of an agreement with --

>> Mayor Adler: Can you speak up,mandy?

>> The second item is authorizing staff to move forward with negotiation and execution of an agreement with foundation communities and --

[4:49:25 PM]

>> Mayor Adler: All right.

>> -- To develop 7.9 acre tract. You heard from speakers this morning on that

>> Mayor Adler: Okay.

>> And the third item is authorizing us to move forward with an 11-month contract with the housing authority of the city of Austin for their tenant based rental assistance program in the amount of 1.1 million

>> Mayor Adler: Thank you.

>> Happy to take questions

>> Mayor Adler: Any objections todding the direction I posted with respect to item number 2? Hearing no objection, that amendment is added. Is there a motion to approve the consent agenda? Council member tovo makes the motion. Renteria seconds. Any discussion? Council member tovo.

>> I want to say we had some great proposals for this and that to me is exciting, that we have multiple, talent affording housing developers in

[4:50:28 PM]

Austin and -- wanting to be part of making sure the community has services they deserve. It was interesting to hear more about them today and to see the proposals reflected. I'm excited about the one we're moving forward with. And I want to say a quick word of thanks to the city staff for doing two really important things in the course of this proposal -- multiple important things. Two I want to highlight. One is having a representative from the school district as part of the process. I think that is just terrific. I think it aligns with what we have set forward as goals for a while now of making sure that as we're able to we're working in partnership with our school districts and especially around planning and how some intentionality and thought to the kind of development we're encouraging can have an impact on the school district and the nearby schools. So those conversations about what kind of housing would best

[4:51:33 PM]

support -- in terms of the programs they offer is the direction we need to be moving. I also want to just celebrate that this is one of the first projects to use our preference policy. Thank you for getting that in place. Thank you. These are all very good directions for us to be moving.

>> Mayor Adler: So, you know -- I'm also excited about this proposal. Appreciative of the additional direction. There was a wide variance with respect to what could be produced and I appreciate staff getting and digging into that a little bit. I do think in the future it's going to be important to involve the homelessness office manager in consideration of tracts like this and reviews and setting up with the criteria are to be used. We're trying to get as many coc

[4:52:34 PM]

units as we possibly can consistent with the goals that the director of that office is giving to council there are a lot of units the community will have to find. When we have something like this we ought to have as one of the stated goals a certain amount of, you know, continuing care units that are available on those sites. When you have a site that's especially real proximate to the center where people are going in sheltering and wanting to move out, one of the reasons the school district gave us the property was to help increase the number of families and help people that didn't have to move. We have families that will move out into a home. If we can move into this their children can stay in the same school, meeting the objectives in part that the school district had. So I think we ought to make those kind of units part of it.

[4:53:35 PM]

I would involve that office in setting up the requirements and things that we need. If we want to have -- you know, just the things we've talked about that are real desirable for us to have I think need to try to work their way into the criteria that we're using as indicated in the direction. Then finally, I think one thing to consider -- and I think it's part of the conversation to have with Diana Gray in the room, we're trying to increase capacity in the city. We know as we're trying to find people to help with the hotels, that we're real limited at a local capacity and overburdening our historic partners. We have an opportunity in something like this to really do things and with new folks that are coming in and to just wait really heavily -- people that have done it before,

[4:54:36 PM]

because they've done it before is not going to help increase capacity in the city which is necessary to reach the scale and number that we want. So there's a benefit just in having new people involved, bringing in the Urban League who's expressed a desire to get involved. They were one of the participants along with Guadalupe -- one of the ones not ranked -- not a selected one. But I think we ought to try to provide that, to have a developer from outside the city bringing in additional capital. In long run will do a good thing for the city and so we ought to not count against those people because we haven't had experience with them before but maybe give them extra points because they're going to open up the possibility for us to do stuff to scale. I urge you and the staff to do those things too. Moved and seconded.

[4:55:37 PM]

>> We had a conversation Tuesday about the child care piece. Thank you for the response, staff, in the Q and A that the RFP was released after my resolution requiring there be a conversation about child care within a proposal. Manager, my question to you is whether you need an additional IFC to extend this provision to properties that are flowing through our Austin Housing Finance Corporation or whether the policy we've passed is sufficient. And you can get back to me if you want. If you have an answer today, that would be helpful. I want to make sure we have a proactive conversation about city-owned land if there's not going to be child care required as part of the proposal.

>> Understood. I want to talk to the staff and I'll get back to you.

>> Great. If you would follow up and let me know. I want to be sure it's part of the conversation

>> Mayor Adler: It's part of the conversation because I'm used now when you get into the details, which I appreciate

[4:56:38 PM]

you doing, as you go through this. Looked at the zip codes where we had child care deserts. This is not one of the areas. I'm not sure if it's because didn't have many kids in the area or what it is.

>> The resolution didn't insist there -- if staff were not including it, that they're not and why and that would be a reasonable reason, that there are multiple other high quality child care facilities in the area but that we have intentional conversation around it

>> Mayor Adler: Those in favor of the consent agenda, raise your hands. Unanimous among the board of director. Thank you both for being with us. Thank you. Next item we're going to take up is item number 62. Yes?

>> I don't remember what time

[4:57:39 PM]

you have to leave

>> Mayor Adler: Almost -- I mean, really soon. I'm trying to finish debate and discussion on some of these I need to vote for. I don't think you need me here for item 60 but let's see about item 62.

>> Mayor? The clerk. You need to return the --

>> Mayor Adler: Oh, thank you. I'm going to adjourn the Austin housing finance corporation meeting here at 4:48 on December 9th, 2021. I'll reconvene the city council meeting. Time is 4:59. We're going to pull up item 62.

>> Thank you. I'm happy to bring this item forward. No doubt we have an affordability crisis in Austin. We keep talking about that. It's supposed to be one of the most pressing challenges but I

[4:58:40 PM]

don't know that we're doing all we can get to what we need. For years it's been getting worse and worse. At this point nothing we as a council can do anything to solve it overnight. I think everybody recognizes that also. Lots of factors are involved here. We're not just talking about housing supply not keeping up with demand. We're not just talking about higher income earners moving into the city and bidding up what limited stock we have. We have a problem with stagnate wages and work force in general. We know we have varying degrees of control. I think my colleagues do a good job of talking about the limitations imposed by the state that we live in. But one thing we have direct control over is

how much our local rules and processes add to the cost of home building. Costs that end up no doubt being passed down to renters and to homeowners. If our own practices and policies are going to add to the high cost of housing in

[4:59:40 PM]

Austin, I think we need to know to what extent and we have to know that in order to be able to make adjustments and fix it. My team and I Lauren in my office worked tirelessly on this item. It builds upon direction that we brought forward this time last year around our street impact fees and to help complement some of the fee review work that is currently under way at our development services department. We have countless working and middle class austinites facing the choice between skyrocketing rents or living in the suburbs, homelessness, displacement, when new houses, new big houses replace smaller, older houses, to councilmember alter's point about the preservation of our housing stock. Everything that I'm talking about, all those things that we don't like, all those things that are happening, all those

[5:00:41 PM]

things are happening right now because of the rules we follow right now. The status quo that we follow right now. Having this comprehensive cost data really laid out for us I think will be absolutely vital in the work that we as policy-makers know we have to do to help to tackle this affordability crisis. I incorporated councilmember alter's amendment that was posted to the message board. Thank you for that. I appreciate it. And updated version three, which I believe might capture the intent of councilmember pool's amendment number 2. The conversations I've had with staff over the last few days have led me to believe we shouldn't expect recommendations from them. However, if they do, I do see the wisdom in making sure that we have enough context to weigh them carefully. I also appreciate the direction brought forward by councilmember alter with councilmember kitchen's additions. So I would like to make a motion to approve version three of item 62 with the added direction

[5:01:46 PM]

from councilmember kitchen.

>> Mayor Adler: That's a talking motion, but I'm going to allow it in the interest of time here. It's been moved. Is there a second to this motion? Councilmember Renteria seconds it. Let's have discussion on this item now. Councilmember alter?

>> Alter: Thank you. And mayor pro tem, I appreciate you incorporating the amendment that I had posted to the message board. I didn't actually yet post my amendment, with my direction. That was with

Ann's direction. So before I talk about what was meant by that, I just want to understand -- I'm going to need to understand how that goes together with the full resolution, because that was sort of intended. And it might. There might be a way to do this. I feel like I need to ask some questions to staff that I've been planning to ask and then we can think about whether there's a way to mash them together in the way that you've proposed,

[5:02:47 PM]

because I hadn't thought about that yet and I hadn't proposed it yet because I wanted to hear what staff had to say, and council member kitchen included my direction before I was ready to share it, although I still stand by the direction. I want to explain that part of the back story. So if I could ask -- again, I want to say thank you for accepting my first amendment. I appreciate your willingness to look at my direction. So, I believe that is often the case. We have shared goals and our conversation is really about how we can best achieve those goals. I've been trying to figure out what this item will do and how we can best achieve our goals. I've had some conversations with staff that have given me additional thoughts on this item. I want to surface a few of those elements with my colleagues. These will be short questions, but I would like to invite Ms. Truelove if she's still around. I know she had a concert to get

[5:03:48 PM]

to for her kid, but I don't know if she's still around, as well as Ms. Lucas.

[Off mic]

>> Alter: Okay. All right.

>> Rosie Truelove is not here, but -- city of Austin, I will be

[inaudible].

>> Alter: Okay. So, for both of you -- maybe I'll start with Ms. Lucas. What can you tell me about any sense you may have at this time about the estimated cost of advancing this item?

>> Because there's been so many motions and amendments, it's difficult to forecast what the total cost might be. It looks like there may be several different scopes of work. And we may want to report out in different reporting structures rather than one whole comprehensive report. I do think that we will have a better understanding of exactly what the cost will be once we get the final resolution

[5:04:48 PM]

approved so that we can decide what are the things that the city can provide and what are the things that we need to hire outside consultants to deliver that information.

>> Alter: Did you want to add anything?

>> Only to absolutely echo what director Lucas just said. We have a lot of internal resources, but a lot of the data that we're going to gather will come from external consultants.

>> Alter: Ms. Demayo, can you speak up a little, please?

>> I'm so sorry. We have -- I was just echoing what director Lucas said, that we have a lot of data internally to our respective departments, but we will need to rely on some external professional contracts in order to be responsive to the resolution.

>> Alter: Do you have any sense of how much it would be

[5:05:49 PM]

for the initial proposal before we add the amendments?

>> We haven't researched that yet, because this is the kind of data that we're normally not responsible for collecting, and so we would need to understand what information is available to us from professional organizations and professional researchers, and is that information free to us, or does it have a fee associated with that. So we would be working with associations such as hba, rica, and others in the community to find out where is the best source to get that kind of information and what the cost might be associated with it.

>> Alter: Have you seen a procurement for this scope of work before?

>> We reached out to the purchasing office to give us a rough order of magnitude of a comparable type of scope of work. I don't know they've had this exact one, but they may have had scopes of work with this level of complexity, to see not only

[5:06:50 PM]

what it would cost, but how long it took to get the contract in place and how long it took to get the results back.

>> Alter: And what did they say about the time and scope?

>> They just got the request from us yesterday, so they do need some time to query their database.

>> Alter: Okay. I think when we talked this morning you had estimated about six months.

>> That would be for procurement process once we release an rfp.

>> Alter: Thank you. Will this item have any impact on your staff's capacity to advance other preexisting council objectives or direction?

>> It certainly could. Many of the staff that would be involved in this initiative are also involved in other council initiatives around affordable housing, permanent supportive housing, and other really important issues that are important to our community. So we would have to assess and maybe reach out to council for prioritization of which of the things we want to move forward

[5:07:50 PM]

first.

>> Alter: Ms. Demayo?

>> Nothing to add to what director Lucas said.

>> Alter: So there are tradeoffs of moving in this direction, and choices that would have to be made about other things that have been priorities that would have to be moved to accomplish this, even if you have a consultant.

>> That is correct.

>> Alter: Okay. Thank you. How would you rate this in your priorities of things you would want your departments to be working on with respect to positively impacting affordability for austinites?

>> There's 13 departments that are involved in getting a plan through the process and actually having a permit issued. The biggest impact that we could make is looking at our processes and what adds time, as well as looking at our fee schedule and what we're charging for the services that we provide and see if there's any opportunity to streamline, lower cost, and become more efficient.

[5:08:50 PM]

So that would be a priority for us. And dsd has already begun that work. And we'd like to work with the partner departments to partner with us to do that same kind of work as well. Those would be decisions that would be under the purview of council to implement. The other elements of the proposal we may not be able to impact as a city organization, but it does bring us some awareness of where the real cost drivers exist in the housing production process.

>> Ms. Demayo, did you want to add anything?

>> Only that the data that would be gathered through this resolution would be helpful for a variety of our different initiatives and efforts, including our housing market study, which occurs every five years, including our analysis of impediments to affordable housing. There are a variety of initiatives that we undertake,

[5:09:50 PM]

and this data could certainly be very fruitful in that research.

>> How would you rank it in your priorities?

>> We have so many priorities across our department, including in our planning department. I can't specifically -- in our planning division, I can't specifically say where it would fall in terms of ranking. I can't answer that directly.

>> Alter: So, if we have a shared -- start off by saying I think we have a shared goal and the question is how do we get there. And if our goal was to hear from staff about potential options for reducing housing costs and that would involve data to do well, would this be the scope of work you would recommend, or would that scope be different?

>> I think the scope would be slightly different.

[5:10:52 PM]

Some of the elements that are proposed here are going to be informative so that we can understand the full cost to build in Austin. But the things that we can impact would really be around the times to process permits and the fees that we charge for that. And then looking at the regulations that drive that time and those fees to see if there's some reconsideration on what we do.

>> Alter: Ms. Demayo, did you want to add anything?

>> No, agreed.

>> Alter: So, given all of these things -- I don't know if other folks have questions for them. What I was going to propose was the direction that ended up on Ms. Kitchen's sheet, which is really to kind of put a pause on saying do everything in this resolution, but asking them to kind of provide a scope of work to study opportunities to reduce

[5:11:55 PM]

permitting time for new housing construction, including construction related to redevelopment in Austin, the manager's recommendation should consider staff capacity, opportunity cost and identify whether the scope of work will impact staff's ability to advance other preexisting council priorities or direction. I believe that our staff can help us craft something that they can do, which would get us information we can use to improve affordability and housing production in our city without negatively

impacting their capacity to implement our other existing projects and priorities. There's definitely really important kernels in here that would get important things done, but I feel like I would really need -- I need that touch-base back of, okay, this is the scope of work that we would do and this is what it would cost, and using the resolution as insight, but if we pass it as a resolution then they have to follow all of the different pieces, whether they prove useful or not. And I'm trying to figure out how to do both, because this could

[5:12:57 PM]

get really expensive and could detour us in a lot of different ways. And that's what I'm trying to understand. So that was my proposal. The language is on kitchen's motion and I think she has other direction there. I hadn't thought about it in the way that you proposed it, mayor pro tem. So if you could help me understand, if we combine them, what that means in terms of what staff are doing, if it's still that they're coming back and checking and we're seeing if it's the right scope, etc., then we could probably do that. I just -- if there are elements of it that when they go to scope it are going to mean we won't hear about it until December of '22 whereas something else we could hear back in June of '22 to take actions before budget time, and other stuff, you know, I would want to know that and be able to assess the choices and the tradeoffs.

[5:13:57 PM]

And so I hope you understand that again, I understand and hear what you're trying to get at. I'm just thinking about it slightly differently in terms of what will get us to the same goal.

>> Harper-madison: So I have to say, I am disappointed at the level of inconsistency that some of my colleagues bring to this dais. We all have to compromise something in order to get things done. Do you remember the conversations we were having during the budget process, how we specifically said everybody's going to have to compromise something? And the last item we discussed, you said explicitly we have to do it one step at a time. I happen to believe that this is the step forward. And so I mean, I can't encourage you to vote for something you don't believe in but I would like to move forward with the vote. I like it like it is with the direction that's there and I'd like to move forward with the

[5:15:01 PM]

vote.

>> Thank you. We all know Austin is growing at a rapid pace and we need to invest time and effort into supporting that growth collectively. This body has agreed that we're in a housing crisis. As more people move here, housing is a fundamental part of the supportive infrastructure that we need to work on. I

want to thank our mayor pro tem for her hard work on this item. Finally, I'm looking forward to working with my colleagues as we dive deep into housing and affordability as part of our efforts to support those who want to live here and continue to live here.

>> Mayor Adler: Councilmember Ellis.

>> Ellis: Thank you, mayor. I certainly support this resolution and appreciate the mayor pro tem working so hard on it, and the good folks in her office. We appreciate all of that hard work, and I think it is comprehensive, you know, but I've been up here, too, at times trying to get something big done with a resolution. And sometimes we rely on staff and their expertise to get their

[5:16:02 PM]

brilliant minds together and come up with the information that we've asked for. So I truly believe we can succeed in this initiative. And the clock is ticking on housing. I want this information back as soon as staff is able to compile all of the information, because we are all trying to work together up here to make sure that we are making housing more accessible and affordable in our community. That's a value that we all share.

>> Kitchen: Mayor.

>> Mayor Adler: Councilmember kitchen.

>> Kitchen: Okay. So, first off, let me apologize to councilmember alter. I would have just put my second paragraph except I didn't think it made sense, and so I didn't realize what her intent was. But councilmember harper-madison, my intent was that this would be parallel. In other words, it would go along with what you already have, in addition to what you have. So, not instead of. So my thought was that, you know, in addition to the items

[5:17:03 PM]

that you're asking for that may be one of the things staff could factor in and come back sooner is, you know, scope of work related -- you know, honing in on the permitting process. And that's why I added the second paragraph, because I thought that that might be one of the things we could ask staff to look for. So, that was my intent with this. And again, obviously I should have just written it with the second paragraph, but I was not imposing it instead of what you had. So.

>> Mayor Adler: I don't think we have any more existential charge in front of us than housing affordability right now. We're trying to do some things by consensus with respect to the code and ads, and I appreciate that work. Obviously we need to take another look at these things, too. And we're going to be making decisions in the budget process in August. We're going to want some of this information. I understand that this scope is

[5:18:05 PM]

really big. Quite frankly, manager, if we pass this the way that it is I would expect you as your staff got into it to -- if this -- if when you get into this it's not the right scope or the right order, or it's not the right priority, or if you have a better way, I think you can read this and see what it is that is the intent. But just like staff comes back to us and says look, you told us to get this done by February 30th, we now see that's just not going to happen that way, it would be better if it happened this way and you send us a memo and if people object they can bring that up, I'm comfortable voting for this the way it is, understanding, manager -- and I would ask you if you would be able to come back to us in implementing this if there was a better way, a faster way, a more efficient way, or if it gave rise to choices and priorities that we are not aware of as we sit here, but might be helpful for us to

[5:19:07 PM]

know. You could take all the discussion from the dais and target it better than us trying to wordsmith around that up here on the dais. Is that something you think you could do?

>> I mean, that's obviously reasonable and our practice with any resolution that does pass. If there are other approaches that need to be raised to the council, we bring those to the council. But I don't know if acm Gonzalez wants to add anything, but I understand your direction, mayor.

>> Mayor Adler: Okay. I don't know if Mr. Gonzalez wants to say anything else. I'm fine with the amendment to say that we want them to make that. I wasn't correcting that. Correcting more to councilmember alter's, the thought that we could end up not having passed this because we can't wordsmith all the considerations we would want the manager to be able to take into account. Mr. Gonzalez.

>> Assistant city manager Rodney

[5:20:08 PM]

Gonzalez. To echo what staff and I have said before, it would be beneficial to have the information. We have not had this information in a consolidated more than. We recognize there are bits and pieces out there that exist. And as director Lucas has mentioned before, we will scan what we have and bring that to the table. We will see what other sources are out there that we don't necessarily possess can the bring -- and bring those forward. To the extent that we need other information, we will look towards the consultant to bring that information. At every major step, when there is a good update to provide the council we will do that. So that way it's substantive in nature and you continue to be informed as we progress with producing this information. There are a lot of things that staff is working on and there are

a lot of new things that will be presented to staff. So we will continue to work on all of those things as we do.

[5:21:09 PM]

And, of course, we've got the resources that we have. And we will work this in as much as possible.

>> Mayor Adler: Thank you. Councilmember tovo.

>> Tovo: Mayor, I had distributed an amendment or staff distributed an amendment for me this morning that I think clarifies a next step that I hope will be a friendly amendment for the sponsor. I'll read it. Prior to initiating the work or entering into contracts, no later than March 1, 2022, the manager shall return with a description of existing information, reports, and analysis that provide answers to questions raised in the resolution, an estimated cost for consultant contracts to provide any additional analysis called for in this resolution, and an estimated number of staff hours and associated class required to assist in this effort. This may overlap a bit with some of the other amendments, but it very clearly lays out that

[5:22:10 PM]

before launching into the work, come back to council. Let us know what information you currently have, what information you need to acquire, and what your estimated costs are for acquiring that through consultants. That's important because the money that you would be using we were able to confirm is derived from fees. As we have a conversation about fees and the appropriateness of where they're set we want to be sure that we're always extremely mindful of how we're using those fees. And thirdly, an estimated number of staff hours and costs. What I heard from staff -- some of this information exists and it's a matter of compiling it, but this quick step to come back to council and let us know what exists, how much you think it would cost to hire consultants for the pieces of information you don't currently have and how many staff hours estimated that you're projecting. So that's my amendment. I think it captures -- I think

[5:23:11 PM]

it responds to some of the concerns about size and scale, and scope, and overlap.

>> Mayor Adler: Are you okay --

>> Tovo: Mayor pro tem, I hope you would accept that as friendly. I put in there March 1, but I'm open to any date that seems reasonable.

>> Harper-madison: It sounds to me like what my colleague is asking is to be kept in the loop. I'm comfortable with that, with us coming back to the housing and planning committee with an update on a plan and scope prior to executing a contract with a consultant to conduct the work. So, yes.

>> Tovo: Okay. Thank you. I said council generally, not just the housing committee.

>> Harper-madison: I understand.

>> Mayor Adler: Is there an objection to this amendment from councilmember tovo?

>> Harper-madison: I don't have any objection, mayor.

>> Mayor Adler: Without objection, does anybody else have objection? Without objection, the tovo amendment is included. Anybody else want anything else considered on this or voted on this? Councilmember pool?

>> Pool: Thanks. I had a question for Denise and

[5:24:13 PM]

I guess for Mandy, since Rosie isn't there. And then I wanted to speak to -- passed out my amendment. I looked through version three, mayor pro tem, and I think I see where your edits refer to this, but it wasn't explicit and I would just ask that we -- since you have been really supportive of my direction on Tuesday when we talked about the mental health implications and so forth, I wanted to make sure that the actual language which I passed out, again. And we had law go through it carefully to make sure it was fitting in with the caption. So, while I asked the question, y'all can look at the updated amendment that I passed out that I hope will be viewed as friendly. Councilmember harper-madison

>> Harper-madison: When you say updated, is this different from the one --

[5:25:13 PM]

>> Pool: Yeah, this is -- let's see. The words as part of the analysis were added in rather than the city manager is directed to provide an analysis.

>> Something that was handed out on the dais that had yellow highlights on the first --

>> Pool: You can see where the changes are.

>> Mayor Adler: That's the version that councilmember pool is referring to.

>> Pool: That's right. And I would edit following line 95.

>> Mayor Adler: So on this page is the only thing that you're adding words that are in red?

>> Pool: No, it's the whole thing because none of this was included.

>> Harper-madison: When you say the whole thing, you mean this paragraph that's the be it further resolved, in addition to, as part of this analysis?

>> Pool: That's correct.

>> Mayor Adler: Those three paragraphs under there you're seeking to add -- you're seeking to add two new resolved clauses as shown on this page.

[5:26:15 PM]

>> Pool: That's right. And that was the difference between my first and second, are some wording changes which are highlighted in yellow and underlined in red.

>> Mayor Adler: Okay.

>> Pool: So the question that I had for our development services and housing folks -- because I hear from constituents almost daily about permitting review and approval delays. And they often point to certain bottlenecks in the process. Many of the bottlenecks I understand are due to staffing capacity. And council has tried pretty hard to add to the ftes in particular for dsd. We did that last year, but I'm concerned that we risk further permitting delays with this housing study effort. So I wanted to check with our staff one more time to ask this question with your current capacity in mind, I'd like to know from our directors how would you recommend that we scope this study to get at identifying the improvements

[5:27:16 PM]

that truly are within the city's purview?

>> Thank you, councilmember pool. Some of the requests that are in this resolution represents work that we're currently doing in our organization. And so that doesn't create an extra burden on staff. There are some new elements that are introduced in here. And until we can drill down to find out what the scope of work is going to be needed in order to do this work and perform this analysis, we're unable to tell you today what the impact would be on staff and existing projects.

>> Pool: And that's essentially how you answered an earlier question. All right. I will leave it at that. I think that the council would like to know what the impact is on staff, and the capacity. I think it's really important in light of the other many assignments and responsibilities that our dsd and housing staff have in front of them.

[5:28:17 PM]

>> Thank you.

>> Pool: Thanks. And so I would just like to -- is the mayor still with us?

>> Harper-madison: I'm the chair. I'm the captain now.

[Laughing]

>> Pool: Very good. Captain, my captain.

>> Harper-madison: I believe -- did you have a question?

>> Mayor Adler: No.

>> Pool: No. I was just coming back to the amendment.

>> Harper-madison: I appreciate it. I think I saw councilmember Ellis' hand and councilmember tovo's hand.

>> Ellis: I have a quick friendly question. I think there might be an extra word in here that should have been struck right before the end of the first sentence. And other safety and quality of life regulations impact housing prices. It starts with at the beginning, look at how these things impact housing prices. I think the "That" right after regulations might need to go out just to make it a little smoother.

>> Pool: Okay. Delete the word "That" in front of where the pertain to housing

[5:29:17 PM]

production has been struck?

>> Ellis: Yeah, I think so, where you took out pertain to housing production, maybe take out "That" pertain. I think that flows. I got what you were saying and was like, I think the word "That" just needs to also be removed to make it concise. So I'll go over it again, but at the beginning where it says look at how, and then lists a bunch of things, cost of production, housing regulations, open space parkland, goes down the list.

>> Pool: You're right.

>> Ellis: And other safety and quality of life regulations impact housing prices.

>> Pool: I think that's right.

>> Ellis: Okay.

>> Harper-madison: Are you satisfied, councilmember Ellis?

>> Ellis: Yes.>> Harper-madison: Councilmemb er tovo?

>> Tovo: Yeah, thanks. So one of the issues that your resolution addresses, mayor pro tem, or raises, is the

[5:30:20 PM]

permitting process. And I think we had some conversation about this on Tuesday, councilmember Ellis. I think you spoke to this as well. I wonder -- that comes up a lot, and I'm not sure how -- I'm not sure that this resolution is enough to really addressing the challenges that we hear about. So I wanted to throw up into the dais -- I know the mayor mentioned scheduling another day to talk about housing. I wonder if we should set aside part of that day to maybe have a bit of a public hearing if that seems reasonable, on that subject specifically, you know, process suggestions, permit suggestions, sharing of experiences, but to really focus in more narrowly on what suggestions those who interact and engage with our permitting process and our development process might suggest beyond code changes, beyond other kinds of things. So, I just throw that out for

[5:31:20 PM]

comments.

>> Harper-madison: I appreciate that.

>> Tovo: Maybe later. But we could handle that either through a public hearing or through inviting people to provide us with written testimony ahead of time about the subject so we can come prepared to having reflected on it, to ask questions of our city staff and talk about directions for moving forward. That might be the most efficient use of our time, to invite people to provide testimony in advance and use the time with one another to talk with our -- talk among ourselves, with staff, and ask questions of staff about the ideas the public have mentioned.

>> Harper-madison: Thank you for that. I certainly didn't think this one ifc would be the end all be all, so I'd like very much to engage in that conversation. It's totally necessary. I would like to put this item forward today still.

>> Tovo: Sure. I wasn't suggesting that as an alternative.

>> Harper-madison: I appreciate the clarification.

>> Tovo: It has arisen from the conversation we're having around your resolution, and if somebody wants to join me I'd be happy to sponsor a special called meeting in the new year.

[5:32:21 PM]

>> Harper-madison: I'd be happy to join you.

>> Tovo: Thank you, mayor pro tem.

>> Harper-madison: Mhmm. Any other questions, comments? Councilmember alter.

>> Alter: Thank you. So, first of all I wanted to clarify that I wanted to discuss the combining it. It sounds like it's in the base motion, so maybe I'll leave it at that. I did bring up on the message board post that I was drafting something with respect to administrative rules, which would be a different be it further resolved, so I will put that forward. The city manager is directed to include direct feedback from stakeholders on their experience with the permitting process and the scope of work for this analysis. The analysis should include by not be limited to identifying the impact of compliance with administrative rules, including administrative rules adopted by our utilities. This continue of the study should include a variety of

[5:33:23 PM]

stakeholder perspectives, i.e. Large corporate developers, individual homeowners, small-scale developers, etc. The findings from this component of the study should include information on common experiences and bottlenecks in the permitting process. And I would be happy to have my staff share that language with the clerk. I don't know that I can get it up in time for when we're going to vote on this, if that would be a friendly amendment.

>> Harper-madison: You know, at this late date and without having something to look at I'd really like to just move forward. I very much would like to move forward and we can address that. Again, we're just asking for information. We're not doing anything other than asking for information today. So I think when the city manager comes back as the mayor suggested, the city manager is able to come back to us and indicate whether or not there's some specific impediment to us moving forward in a way that's efficient and cost effective, then I think those are the kinds of things that we will have had

[5:34:24 PM]

an opportunity to think through. But I just got on the dais and I'd rather not make a decision about that amendment right here. I'd really like to move forward. Councilmember Renteria.

>> Renteria: Thank you, chair. You know, I feel the same way, you know. I don't know why people are just freaking out about being transparent about the fees and how it affects housing here in Austin. I mean, let's just put it that way, you know. We know that there's a lot of fees that are affecting our housing. And if there's a way we can come up with a solution to build more affordable housing for our people here in Austin so they can stay here, then I would feel like everybody would be welcoming getting that information so that we could give it to the public. I don't know what we're trying to hide from the public but it's just amazing to me how we're just -- there's so much resistance to get this

information.>> Harper-madison: Councilmemb er alter.

[5:35:24 PM]

>> Alter: Thank you. I just want to clarify that as I stated, we share a common goal. My concern is about whether as drafted this is going to get us the information as efficiently and effectively and in a time effective manner for us to have a chance to use that information in time for budget and be able to take action. And so it is not the transparency about the fees and the costs that's of concern. I'm trying to understand how you put together a procurement process, how you set it up to actually answer it and see whether the information as structured in this will come back in the most useful manner. We've landed where we're going to land. I want to clarify that the objection is not to the information. It is trying to understand how we get there in the most effective and efficient manner. And I've had different conversations and I've heard different perspectives. And I'm trying to input those into the conversation. We've had very limited ability

[5:36:25 PM]

to have conversations over the last couple weeks with the holiday and back-to-back council meetings. I'm fine if you don't want to accept the amendment that has been asked for by the home builders association with respect to this, because we've been having the issues with the administrative rules and they have been adding cost. I'm sure it will come up regardless in the process. But again, the questions that we're raising are to try to find ways to speed it up so that we get more useful things. It is nothing to do with the transparency or the need to know what the costs are or an unwillingness to look at the fees. I want to be really clear with that because it is not, you know -- it's just not a fair characterization of the questions that we're asking.

>> Harper-madison: Thank you. Any further questions? Councilmember kitchen.

>> Kitchen: Thank you. So just for clarity, I appreciate you, mayor pro tem,

[5:37:29 PM]

accepting the various motions that we brought forward. I think those combined with what you have will give us the ability to move forward and give us back information at various different timelines. Thank you for that. I think if I'm understanding correctly, we now have incorporated your third version, right? So we've got your third version. We've got councilmember tovo's amendments, councilmember pool's amendments, councilmember alter's amendments, and my amendments.

>> Harper-madison: I'm sorry, that's not accurate.

>> Kitchen: Not councilmember alter's last amendment, but the other one.

>> Harper-madison: No. I looked at councilmember pool's amendment, but I hadn't had the opportunity to accept it or deny it.

>> Kitchen: Oh, okay. Do you want to speak to that? I'm sorry, I misunderstood.

>> Harper-madison: Did you want to continue? I'll speak to that when you're done.

>> Kitchen: No. Is just trying to make sure I understood what we had.

>> Harper-madison: So I would take away councilmember pool's amendment. I like councilmember pool's amendment because I think it's absolutely necessary. It's work that we need to do.

[5:38:30 PM]

I just think it's outside the scope of this resolution and this posting language, in which case I'd be happy to be a cosponsor for an if that you bring forward that will be focused around the information in this amendment. I do think it's necessary.

>> Pool: Mayor pro tem.

>> Harper-madison: Councilmember pool.

>> Pool: That was one of the reasons we ran it through law so so assiduously, and why I talked about it in some detail on Tuesday. I suppose we could put it to a vote but it would be great if you could accept it as a friendly.

>> Harper-madison: I don't see this as a part -- I'm not opposed to the information that you're seeking to request. I think we need it. I don't think it's part of this resolution so I won't accept this one.

>> Pool: When you say you don't see it as a part of this

[5:39:30 PM]

resolution, I thought you meant it wasn't germane, it wasn't allowed by the scope of the caption. And it is permitted through the scope of the caption.

>> Harper-madison: The scope of the sponsor. I don't see it being a part of this resolution.

>> Pool: Okay. So the information that I'm seeking from your resolution and the study I'd like to see expanded and the information I'd like to be sure that we collect is not appropriate from your perspective?

>> Harper-madison: I think this is a separate resolution that I would be happy to support.

>> Pool: Well, we won't be back until late January, early February. So there isn't any. And that would be like two months from now. And this is a really important part of the overall perspective and frankly, my support for your resolution rests on, you know, on the piece that I'm also

[5:40:32 PM]

looking for to make sure that we have a comprehensive review. So I think -- I don't think -- we can't wait on this unless you would like to wait on the entire resolution. And then --

>> Harper-madison: Absolutely not. It's already been postponed.

>> Pool: So I ask one last time.

>> Harper-madison: I already said twice.

>> Pool: So then I will make a motion to amend item 62 and adding these paragraphs that I talked about on Tuesday, passed out today, after line 95 that's reflected in my motion sheet that has the yellow highlighting. It doesn't say version two, but it should.

>> Harper-madison: So there's a motion on the table from councilmember pool to include the motion that she put forward. Is there a second? Councilmember kitchen seconds. Any further discussion?

[5:41:34 PM]

Councilmember kitchen?

>> Kitchen: Yeah, I just want to speak to why I'm supporting this. I think it's just -- you know, it goes to the spirit of the amendment, which is to gather information -- not amendment, the spirit of the resolution, excuse me -- to gather information. And it's just pointing out some additional aspects of the analysis that relate to -- you know, relate to open space and parkland dedication and also relate to transportation and right-of-way dedication, water quality, storm water, heritage and protected tree preservations. And I think that that's important. And it also speaks to health and equity disparities, information related to that. So to me it's a plus. It adds to the information we're trying to seek out of the resolution, because my understanding of the resolution's goal is to get us all this information so that we can make some decisions. And so I think that this would be important pieces of

[5:42:35 PM]

information. So I'm going to support it.

>> Harper-madison: Thank you, councilmember kitchen. Councilmember Fuentes and then councilmember Kelly.

>> Fuentes: Thank you, mayor pro tem. I'll also be supporting this amendment, you know, addressing health disparities is a huge priority for me, my office, and the district we serve. Having access to this information will help ensure that I'm making informed decisions. Thank you.

>> Kelly: I appreciate the spirit of this motion sheet and the information that was changed but some of the wording is fundamentally different. For example, we go from pertaining to housing production to impacting housing prices. And I really think that that changes the overall feel of what you're trying to bring forward, mayor pro tem. And so councilmember pool, I won't be able to support this motion sheet.

>> Harper-madison: I'm sorry --

>> Pool: Mayor pro tem, if I could respond to that?

>> Harper-madison: Just a moment. Councilmember Ellis and then councilmember pool, please.

[5:43:35 PM]

>> Ellis: I'm struggling just a little bit to sort through this. This is one of the amendments that I was less familiar with. I do think that some of this is already included in the original resolution between lines 90 and 92 that does talk about parkland and tree mitigation, and things of that sort. So I'm actually not sure how I'll vote to include it or not, but if it doesn't get included I would love to work with you on this because I think this is an important bit of analysis to work with that could help a lot of the work that we do on this dais.

>> Pool: And just to respond to councilmember Kelly, the housing study is to obtain information on how our regulations impact housing prices. And it's -- we have lots of regulations. And this amendment is an attempt to ensure that we are comprehensively looking at all of the regulations that do have impacts on housing prices --

[5:44:38 PM]

quality of life is a really big one, to ensure that people can live in our city and that they live a healthy life in our city. And our regulations go a long way to ensuring that quality of life. Our environmental regulations, our water regulations, our clean air regulations, the park land that we provide and the open space that we provide, even our safe routes to school and our transportation signaling system helps with the quality of life and ensures the health and safety of everybody in our community. And so if we're looking at what regulations we can influence and that have direct impacts on the cost of housing in our city, we really do have to throw the net really wide. And so this is an attempt to make sure that we are

looking at all things to quantify the value and the state of Austin's natural resources. We're looking at Austin's urban forestry report that the U.S. Department of agriculture

[5:45:38 PM]

released by Texas A&M, the trust for public lands park score index has a ranking for Austin. There's really good information this there about the areas of our town that have disproportionate negative impacts. For example, the tree canopy in east Austin is pretty spare compared to west. And we know -- and even central. And we know that the transit operation abilities of our tree canopy clean the air, fill filtersthe air and cools our streets. That's a quality of life thing. It's a health and safety thing. So, again, this was an attempt to very comprehensively make sure that we are looking at the full package so that we can come back with really good information and weigh the various costs and benefits.

>> Harper-madison: I appreciate that. And in response to that I want to make certain you don't think I think this is a bad amendment. I think the fees mentioned in your amendment are already captured in the resolution that I wrote. I also think that the health

[5:46:40 PM]

disparities component -- it's of critical importance, but it's not cost-related. What I'm asking for in the resolution is specifically cost-related items so I think that is outside of the scope of this analysis. Not that it shouldn't be analyzed. It's absolutely critical but not in this analysis, is all I'm saying. Any further discussion on councilmember pool's amendment?

>> Pool: Let me try it this way, then. I think that I have the votes to pass this, but in an effort to be conciliatory, let me turn to the city manager and ask him, as far as direction, with regard to the comprehensive nature of the health and equity disparities in our community, either due to the lack of or access to or presence of natural resources, increased heat island effects due to lack of canopy or park land deficiency, for example, will

[5:47:43 PM]

these items be included in the work that our staff is going to conduct? And secondly, do the amendments that the mayor pro tem brought, where she said that she was amending her resolution to include my amendments, is it sufficient?

>> Before I respond I want to see if the author had any feedback on that approach.

>> Harper-madison: I can't hear you.

>> I want to see if the author had any feedback on the approach the councilmember was offering.

>> Harper-madison: I don't.

>> I don't feel comfortable answering without hearing from staff on how they might include that type of information as direction versus a formal amendment. I think the approach had been you were going to vote on this, so that's our preference, for clarity. But I'll have acm Gonzalez.

>> Councilmember pool, I read through your motion and I concur with what you're talking about.

[5:48:43 PM]

As we go through the study I don't think you're going to see us make major moves on proposed fee reductions without taking those -- considerations into account. So we would do, in essence, what you're talking about.

>> Pool: City manager?

>> I agree.

>> Pool: Okay. And the second -- so, that also answers my second question, which is do the edits that the mayor pro tem indicated were an effort to embrace my amendment, is that sufficient, then, besides the direction that I'm giving from the dais? Because I think it said -- mayor pro tem, I think where you made the changes, was it lines 54-59? I will admit I had a hard time finding where your amendment was. I did a word search even to find

[5:49:45 PM]

some of the words like water quality and storm water requirements and I couldn't find them in your amended version, which is why I came back and said that it wasn't sufficient.

>> Harper-madison: Would it be helpful for you to have that now? I can get my staff to find those line numbers.

>> Pool: I did a word search. Lines 54-59. If it's anywhere else, I didn't find those. For example, I didn't find any of those words anywhere in your version three at all.

>> I think lines 54-59 were my amendment that she incorporated into the base that I posted on the message board.

>> Harper-madison: It's 52-54.

>> Alter: But the part that is in red on your thing, that was my amendment, was the 54-59 that you accepted.

>> Pool: Yeah. So I'm not really sure that it's in here.

>> Harper-madison: Are you asking whether or not the latest iteration that you have has my

[5:50:45 PM]

amendment in it?

>> Pool: You had said that -- earlier today you said that my amendment -- you viewed it as a friendly. You agreed with elements -- with everything I had written and that you had made changes that were in version three to accommodate my language. And so I did a word search. I couldn't find -- I thought it would be after line 95 and there wasn't anything there. So I did a word search and I couldn't find --

>> Harper-madison: For clarifications, in my mind's eye your amendment and councilmember alter's amendment mirrored one another. I think councilmember alter's amendment captured your intent and so we applied that amendment. Are we ready to move on? I think we're ready to take --

[5:51:47 PM]

>> Kitchen: Sorry. Just so I --

>> Harper-madison: Councilmember kitchen.

>> Kitchen: If I'm understanding correctly, the words potential impacts to public infrastructure and the environment are intended to capture what councilmember pool has in her amendment related to park land dedication, transportation, right-of-way, water quality, storm water --

>> Harper-madison: Sure, in theory, but it's not so specific. I would like to give staff way more flexibility than hers does. I'm not contesting the importance of her amendment. What I'm saying is I don't accept it.

>> Kitchen: That's fine. I was just trying to clarify what you just said. Okay. City manager, I am hearing from the mayor pro tem that she feels like she's got the language in here related to public infrastructure and environment. And I'm also hearing from councilmember pool that she specified a little bit more detail on what those words mean,

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public infrastructure and the environment. So, I can support this understanding that that's the intent and based on what acm Gonzalez said, I would hear that as the breadth of the kinds of things that

councilmember pool specified publicly infrastructure and the environment means, covers the breadth of the kinds of things she's got in her amendment. So that's all I was trying to say.

>> Harper-madison: Thank you. I appreciate that. Councilmember tovo, I think I saw your hand.

>> Tovo: Yes. I was going to propose something that I thought might get us past this impasse, but perhaps we're past the impasse, so I'll circle back around if need be. But I did also want to say, councilmember alter, the amendment you read -- and I haven't found it. I'm not sure if you said you were posting it on the message board but it dealt with very much the same subject matter that we had been discussing a few minutes ago with regard to having a focused council conversation. I wonder if one way to get at

[5:53:49 PM]

that might be for you to also cosponsor and help shape. Maybe the three of us can talk about how to structure that special called meeting so we incorporate those elements in the language that you proposed. Does that seem workable?

>> Alter: Sure. I'd be happy to work with you on that.

>> Harper-madison: All right. Any further discussion, are we ready to take a vote? Councilmember pool.

>> Pool: Since my motion is still on the table, I think given the response I got from acm Gonzalez and the affirmation from the city manager, and this discussion, I'll pull down my motion, and we'll see -- we'll just see how staff -- see what staff does. And thank you for that additional input.

>> Harper-madison: Thank you.

[5:54:50 PM]

>> Pool: I pull down my

motion.>> Harper-madison: Procedurall Y, Ms. Thomas, do I need to do anything to take the motion off the table? It's been moved and seconded, but she pulled it, so we don't have to take a vote on that one?

[Off mic]

>> Harper-madison: Can I get a second to pull councilmember --

>> Kitchen: Yes, that's acceptable to me.

>> Harper-madison: All right. Are we ready to move on?

[Off mic]

>> Harper-madison: There was. It was -- councilmember Renteria. So, I think we're ready to take a vote on this item. So it's been moved and seconded. All in favor of item 62? I count four, five, six, seven, eight. And the mayor -- I'm sorry. That's all of us. So it's unanimous with the mayor off the dais. Thank you.

[5:55:50 PM]

Number 62 passes. Okay. So the rest of our evening we have pulled items, which is number 8, pulled by councilmember Fuentes, 45 and 49, which is about legal representation, pulled by councilmember Casar. Item number 60 pulled by councilmember kitchen.

>> Kitchen: No. I didn't pull it. Councilmember alter pulled it.

>> Harper-madison: Oh. My apologies. It's your ifc pulled by councilmember alter. Mhmm. In which case -- on nonconsent we have one and the two last zoning, so why don't we go ahead and start with number 8. Councilmember Fuentes, would you like to lay it out for us?

>> Fuentes: Yes, for item 90?

>> Harper-madison: No, the item that we pulled, the coda item.

>> Fuentes: Yes. That should be a really quick one.

>> Harper-madison: Thank you.

>> Fuentes: Colleagues, this is the item number 8 which is the authorizing cloc to cement for the application of 01 with

[5:56:52 PM]

the funding from the state. We talked about this during work sessions. There were questions about presenting this motion. In talking with our legal team, this motion stands before you as an amendment to the resolution that will direct the city manager to do an update to the exhibit. And so that is the main change here. There are a couple of other changes included that we also specified with the youth programs. Thank you so much, councilmember tovo, for your question in the q&a that details the work that Cota has done in regards to youth programming. This would expand the youth programs to be S.T.E.M. Focused and list out partnering with del valle ISD, akon high school and other nearby schools. The third main update here is a specificity around the disability access task force. Cota has committed to create one for their events and so thank you Cota for that commitment.

[5:57:53 PM]

This updates the language so that it is in compliance with their effort of that disability access task force.

>> Harper-madison: Councilmember alter.

>> Alter: I just wanted to second it.

>> Harper-madison: Mhmm. So the motion is on the table by councilmember Fuentes, seconded by councilmember alter. All in favor? Councilmember.

>> Tovo: I apologize. I'm trying to determine if the language on the youth programs changed to expand.

>> So this would be an addition to the already exhibit a which has the language around youth programs. So it would be added into the

[5:58:53 PM]

exhibit.

>> Tovo: Okay, I'm trying to just determine how that makes it clear that we're asking them to expand, because some of these are already in place, no? Some of the stem -- I mean, their programs are stem education. Would you object to just saying before the coda funded -- expanded -- an expansion of coda funded? Would that be okay with you? Okay, thanks. I just want to make it clear that we're asking them to do more than they're currently doing with that. Thank you.

>> Harper-madison: So moved and seconded, and councilmember Fuentes you accept the small changes. In which case are we ready to vote? All in favor of this item? Looks like we're unanimous on the dais with mayor Adler off. And next, items 45 and 49 pulled by councilmember Cassandra Deleon.

>> Casar: I handed out a motion sheet earlier but if you don't

[5:59:54 PM]

have it -- do you folks have this sheet already? Okay well, I will -- I will move items 45 and 49 by amendment and then I can speak to it.

>> Harper-madison: We have a motion on the table and seconded by councilmember Fuentes. Councilmember Cassandra Deleon.

>> Casar: So the way that this item is laid out is different than as staff posted it. And right before I speak, I than we have some folks here -- I know that we have some folks here that wanted to sign up on the item but were unable to so I just wanted to see whether you wanted to speak to it at all, just briefly before I lay out this item. Yes, please, from the project. It's late but it's an important item, so if you would give us a

[6:00:56 PM]

few thoughts.

>> My name is Amelia Costas, on behalf of the project. I want to thank you, councilmember Casar for pulling these items, rather than a pathway for litigation for both of these cases. And we are supportive. There's been countless complaints of excessive force at protests that have gone unanswered and the city needs to start providing support for all of the families who have been through the absolute worst -- trauma, terror, loss of ability, and even life, for practicing their first amendment rights. Last year many of you spoke out against police brutality but there's so little accountability from the city as a whole. Although this is happening later than preferred, this amendment is truly a step towards accountability and so I ask that you all please support it. Thank you so much for your time and allowing me to speak.

>> Casar: Thank you.

[6:01:56 PM]

So the item is to continue our legal services with Richard Rodriguez and Keith that we worked with for a long time. They are a really excellent law firm, but my amendment would reduce the amount paid to them. We would pay them for their work that they have done, we would pay them for the continued work that needs to be done, but my amendment has it so that we do not pay for the cost of trial, nor do we pay for the full cost of discovery, because in my view -- this is news, not to anyone on the dais, but just as a public item -- in my view, we should encourage settlement in these cases, rather than going to trial. So if we approve the item the way that it is posted by the staff, it would authorize expenses all the way through trial. In my view, we need to do right by these injured young men and their families, rather than spend resources fighting them in court. These young Austinites deserve an apology and help with their

[6:02:56 PM]

medical expenses and I believe that if we approve the item as laid out here that it will encourage settlement of these lawsuits, rather than continued litigation.

>> Harper-Madison: Thank you, councilmember Casar. Councilmember Alter?

>> Alter: So councilmember Casar, I appreciate the spirit that you're offering this and I'm fairly uncomfortable moving forward definitively as this is laid out without having a legal executive session. I don't know that is going to be productive today. I am wondering if there is a way to authorize those amounts today that you're suggesting and then to provide direction to the city manager to come back to

us in January with a legal session and as -- at the appropriate time, if we need to have additional contract, you know -- again, I would like to -- to find a resolution that is right, but

[6:03:57 PM]

without having the benefit of a legal session with the latest on evidence and other things which we cannot have that conversation out here -- I would be more comfortable if we could find a way forward that was in the spirit of what you're saying but would allow us to get that information and allow us to move forward. Because we can't move forward -- like, if we reject it they can't move forward to settlement either. So I don't have language with that, but I would feel a lot more comfortable that way than making it definitive statement without really having the legal information that I think we need to -- to make this a final decision.

>> Casar: If I may.

>> Harper-madison: Councilmember Casar.

>> Casar: I think that is a reasonable -- very reasonable direction for us to authorize it as listed here in the motion sheet and ask for an executive session as soon as possible in our next meeting is in January. We would need that executive session either way, if we were trying to achieve settlement. And so I feel comfortable moving

[6:04:58 PM]

forward this way. This indicates that it would be our desire not to go to trial and instead to spend our limited resources helping these young people, rather than fighting them in court. And then it would give us the opportunity to discuss next steps in executive session, of course, at that executive session we could make whichever decision we wanted to going forward on the facts and the information delivered to us.

>> Harper-madison: Councilmember --

>> [Indiscernible].

>> I would like to respond to that if I could. I appreciate that. One other piece would be, you know, I don't know if we need to be prescriptive about what we're eliminating and we're only just authorizing this amount of the contract. Because, again, I don't know which pieces we need -- you know, it would be changing the amounts to the amounts that you mentioned. And then we could take the next step. I did want to ask the city manager, or legal, if they could speak -- I just made that up as a way forward, given everything

[6:06:00 PM]

else that we've had today. So I haven't had a chance to consult with you, if that is a -- an appropriate way to proceed at this point. Because I just don't think that we can do that legal executive session right now.

>> Yes, councilmember, we could

-- we could just -- you could just offer this as an item with the total amounts that are in the amended motion and then in January we could bring back an executive session to have further discussion.

>> Alter: If you'd be amenable to that, councilmember Casar.

>> Casar: I'm happy to do that, I think that it gets us to the same place. We worked with our law department to make sure that the numbers reflected something, but I think that if we just have those reduced numbers where we have reduced the amount of legal cost in the case and reduced the legal case in the Evans case, I

[6:07:01 PM]

think that does send that signal that we are -- rather than trying to spend resources on litigation, trying to settle the case and use our limited resources to help these young austinites.

>> Harper-madison: Thank you. Councilmember Kelly.

>> Kelly: Thank you, I did have a question for legal and I had to step out for a moment, but I was wondering if -- if we as a city, as a council, have ever done anything like this proposed in this motion sheet before, or it would set a precedent for us moving forward?

>> Councilmember Kelly, Megan Riley from the law department. I don't think that we've been in a position to amend a proposed contract, but what I can tell you is that when we bring forward these contracts we try to be as transparent as possible and calculate an estimated amount of what it would cost the city to take a case all the way through trial. So what this does is breaks it down into phases, rather than

[6:08:02 PM]

council approving the full amount at this moment.

>> Kelly: Okay, thank you for that information.

>> Harper-madison: I think that councilmember tovo and then councilmember Renteria.

>> Tovo: Thanks. To councilmember Kelly's question, I think that it is similar to what we do when sometimes we're presented with contracts for, like, five years and we have issues that we want to talk about more and we say, no, we're going to do one year so that we have an opportunity to have those conversations. So I think Megan Riley said it -- it kind of hits it in phases. I think that -- while we may not have done that at least recently with a legal contract that's being proposed, we sure do it a lot with other kinds of contracts.

>> Harper-madison: Thank you. Councilmember Casar -- I'm sorry, councilmember Renteria.

>> Renteria: I would like to ask

[6:09:02 PM]

legal -- what would happen if we still can't come to a settlement? Would we be able to in executive session or whenever be able to have a discussion of whether we can -- I mean, I'm still kind of confused about this whole situation about the whole thing, you know, by doing this are we committed to having to pay the settlement as much as what they're demanding?

>> Councilmember Renteria, I think what you are asking is what happens if we're unable to meet a certain phase in the case, but we still have a case going to trial. We would absolutely come back to council at a later point and either seek more money or seek some additional direction related to the contract.

>> Renteria: So have we tried to go into a settlement on this case?

>> The city always try -- the goal -- in any case that we have

[6:10:03 PM]

in front of us is always to seek potential resolution. So these two cases are no different. The specifics of what those conversations have been would not be appropriate in public, but I can confirm that is always our goal.

>> Renteria: So this amount here, would that commit us to go to trial?

>> The amount, both reflected in the original request for council authorization as well as councilmember Casar's amendment is to pay the Richards firm -- they represent the city in both cases -- on any legal work that needs to be done in the cases that are filed in the federal district court. So there's ongoing requirements in their representation of the city that need to be accomplished. And so the amounts allow that work to go forward perspectivevly and it includes potential settlement

[6:11:04 PM]

discussions.

>> Renteria: So basically the amount that they have is just how much -- how much the amount is, is how much work they have already done?

>> The amount is -- the potential for how much we would pay the lawyers going forward.

>> Renteria: So, I mean, the lawyers have already been doing work on this here saying that --

>> Correct.

>> Renteria: Okay.

>> Harper-madison: So, councilmember Casar, I was going to ask you, where did we land in terms of the discussion between you and councilmember alter?

>> Casar: Councilmember alter, let me know if this checks out with you -- but we would pass my motion without the really specific final bullet points where we're talking about specifically the cost of trial and the cost, but just leaving

[6:12:04 PM]

the numbers. So this motion would say -- we would pass items 45 and 49, but instead of authorizing \$438,000 in legal costs in 45, we would authorize \$249,000. And rather than in 49, it being up to \$760,000, it would say \$550,000. Again, I think to councilmember Renteria's question, you know, to actually pass a settlement we would have to actually vote to settle. This would just reduce the amount that we are committing today to litigation and lawyers, with the indication that it would be much better if we weren't spending taxpayer resources fighting this lawsuit and instead come back in January for an executive session to see if we can settle the case -- both cases.

[6:13:05 PM]

>> Harper-madison: I'm sorry, was that a question. You were completing -- so, okay. So we're going to pass that motion with those adjustments and then come back for the remainder of the conversation in January is -- okay. So there's a motion on the floor. Seconded by councilmember Fuentes. Do we need to adjust the motion, given that the language is adjusted? Or do I need to just determine from my colleagues whether or not they accept those modifications to the numbers?

>> If they vote, as councilmember Casar did state with the modifications to the numbers would be, so that is the motion on the table.

>> Casar: The same numbers that we laid out, just the explanatory extra words so that people could understand the numbers. We just want to include those extra words in the motion and then ask for an executive session when we're back.

>> Harper-madison: Got it. So items 45 and 49 is moved and seconded. All in favor of the item? Looks like we're unanimous on the dais with the mayor off. With the mayor off the dais.

[6:14:06 PM]

Okay, so we have only a few items left. We have item number 44, and 90. And then 60 and 67. And 44 and 90 and -- I believe that 67 -- will probably go the fastest. Are y'all comfortable taking those up?

>> Okay. That's fine.

>> Mine will only take two minutes.

>> Harper-madison: That's what I thought, you have one where you're just offering direction

-- or the two that you're just offering direction.

>> Kitchen: That's fine, mayor pro tem.

>> Harper-madison: Hi, Jerry.

>> So, thank you. Hi, mayor pro tem and councilors. Item 44 we will take up first. To conduct the third reading of a public hearing to annex the properties identified in zoning case number 90. All in the pilot nob number one and 4. I believe that we also have

[6:15:06 PM]

related zoning case which is item 90, c814, 2001-152.o2. And I believe that councilmember Fuentes has direction to give us on item 90.

>> Harper-madison: Councilmember Fuentes.

>> Fuentes: I would like to move to have the following direction -- and this has been emailed to everyone. And I need to read out the entire motion. The direction, I mean.

>> Harper-madison: I'm sorry.

>> Fuentes: Part ab of ordinance pilot ordinance contemplates an agreement to achieve permanent affordability for owner occupant units and the city manager to propose terms for an agreement that would achieve permanent affordability in part ab of the ordinance. The city council directs the city manager to place an item at the upcoming agenda, authorizing the city manager to negotiate and execute an agreement that has permanent affordability for owner-occupied units with the

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ordinance no later than February 17, 2022 meeting date. And if I could get a second, I could give some rationale.

>> Harper-madison: There's a second with councilmember pool.

>> Fuentes: Thank you, colleagues. If taking a look at the pilot history, it certainly has taken some work so I appreciate y'all bearing with us as we have taken this item on several -- on separate reading considerations. And part of our review of the ordinance, we have discovered that there's not a housing - affordable housing agreement in place, and so we really want to ensure that this motion today will kickstart that conversation about the need for funding of the affordable housing end pilot knob, which is known as Easton park. And so this will set that in motion.

[6:17:08 PM]

>> Harper-madison: Okay, so it's moved and seconded. All in favor of this item? Councilmember tovo.

>> Tovo: Thank you. I appreciate the direction. Or the amendment. I want to just add the direction that it also be accompanied -- if there are any fee waivers or any other city costs that they be clearly outlined.

>> Harper-madison: Councilmember Fuentes.

>> Fuentes: Yes. I have a quick question for the applicant.

>> Tovo: Before we move on too much to the applicant, if I can confirm with the assistant city managers that direction is clear? Assistant city manager Gonzales, I didn't write it up as a formal direction but I wanted to confirm that you understand what I'm asking for, again, just given the context here and the path that we went down where we didn't fully understand the extent of the fee waivers included within that permanent

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affordability -- permanent income restriction. I want to be sure that we have all of that information made really clear to the council prior to taking any kind of action on it.

>> Sure, assistant city manager, Rodney Gonzales. Your direction is clear.

>> Tovo: Okay, thank you very

>> My question is to see if the landowner is amenable to revisit the negotiations with the affordable housing agreement?

>> Yes, my name is Richard saddle and here on behalf of the owner of the property in question. Yes, the landowner is willing to enter into negotiations. I wanted to clarify two things. One, there is an affordable housing agreement. It is just the component of continued affordability is not -- has not been finished up. So we have affordability built into the mud and the pud. But pending the finding of a funding source, that is -- they are excited to enter into the

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negotiations.

>> Thank you.

>> Harper-madison: Councilmember alter.

>> Alter: So if I am understanding councilmember tovo's direction, this would not be agreeing to any fee waivers or expenditures with respect to the affordable housing, without it coming back to us, and without, obviously, identifying what the funding source is? If this is direction, go see if you can do more, then I'm fine with it. I just want to make sure that it's coming back to us.

>> Yes, councilmember, this is just directing us to go to work with the applicant to see if there's an affordable housing solution that we can come up with. Any actual item would be back before the city council for approval, any agreement.

>> Alter: Okay, thank you. I am sorry, I stepped out for a second and missed part of it.

>> Harper-madison: This item is moved and seconded. All in favor of the item?

[6:20:14 PM]

Councilmember tovo, how are you unanimous on the dais with mayor Adler off. That takes us to item number 67, which I said that I think that this will go relatively quickly. This was sponsored by the public safety committee which I had the opportunity to chair. It's a discussing and approving an ordinance related to the appointment of municipal court judges. And I have a handy dandy list here. Okay. There it is. Okay. So, this is an ordinance -- so

-- Deborah, I don't need to read the ordinance -- we don't -- I don't need to read the ordinance language, correct? For the municipal court judges item?

[6:21:14 PM]

>> No.

>> Harper-madison: So I'm just going to -- so part one, the council appoints Sherri statman as the presiding judge of the municipal court of the city of Austin for the term beginning January 1st, 2022. And ending December 31st, 2025. Part 2, the council appoints the following individuals as associate judges of the municipal court of Austin for the term beginning January 1st, 2022, and ending December 31st, 2025. The associate judges are as listed, Michael coffee, Barbara Garcia, tamisa Jeffers and Patrick mcel ins. And Steven bigarito. And part 3, the council appoints associate young Michael coffee to serve as the judge of the downtown Austin community court. Part 4, the council designates associate judge tanisa Jeffers as the overnight magistrate judge at the booking facility. Part 5, the council appoints the

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substitute judges for the municipal court of the city of Austin for the term beginning January 1st, 2022, and ending on December 31st, 2025. Ferdinand clericy, Christine harris-schultz. Pamela Sigman and Ryan killis-turner. A few more. Melinda Herrera, Stanley Kerr, Ronald Meyerson. Kenneth tavuchi. And part six, for the term ending December 31st, 2025, the council does not appoint to the city of Austin any person not specifically named -- bless you

-- in this ordinance. Part 7, compensation for the presiding judge is \$79.03 per pay period, annualized at \$164,382.40. Paid in accord with normal city payroll practices. Part 8, compensation for an

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associate judge, including the judge at the downtown Austin community court and the overnight magistrate for the central booking facility, is \$68.55 per pay period, annualized to \$142,584, paid in accord with normal city payroll practices. Part 9, compensation for substitute judge is \$65.72 per hour, paid in accord with normal city payroll practices. You know, I just realized that up there it says -- so the first two didn't say per hour, it said per pay period. So should I go back and amend those for the record.

>> I'm sure they're supposed to say per hour.

>> Harper-madison: I'm certain. So part 7, per pay period and part 8 should also say per pay pardon. So again for part 9, compensation for substitute judge, paid with normal practices.

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And compensation for the associate judges and the substitute judges beginning January 1, 2022 and ending December 31, 2025 is subject to adjustment in ordinance 201-1028-4017. Part 11, the judges shall receive the following benefits. Part a, participation in the city of Austin's employees retirement system on terms applicable to full-time exempt city employees. Part B, participation in those group benefits plans and programs set forth in chapter a, section 3b, of the city of Austin personnel policies under the terms and the conditions applicable to full-time exempt employees of the city.

>> Excuse me, mayor pro tem, I do have some information from staff that is indicating that these are not -- these might not be the correct pay amounts. Is there anyone -- is there a staff member who can make that

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correction?

>> It looks like there's a version 3.

>> Harper-madison: I'm reading the latest version that I received. So probably not. So I might need access -- no, I have item number 67, version 2 is the last one that I have.

>> Morgan -- the deputy manager, I can get the corrected version and get it to you.

>> Harper-madison: I appreciate that. Thank you. Would it sufficient to go back, since I have named the names, go back and just go over the payroll component?

>> I believe that is correct and I will just double check that right now.

>> Harper-madison: So while we wait for that, sorry --

>> Mayor pro tem, when you called item 40, item 90 and 14 --

>> Harper-madison: 44 --

>> 44 and 90, the record is not 100% clear that we voted on 44.

>> Harper-madison: I thought that we were taking the items up together, that was my impression, is that not the case? Councilmember Fuentes?

>> Fuentes: We did take them up together.

>> Harper-madison: Is that

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sufficient?

>> Yeah.

>> Harper-madison: Okay. You think that it will take a while to get that information, in which case we can move to item 60. We will move to item 60 and we'll hold off on item number 67 until we get that updated information. Councilmember kitchen.

>> Kitchen: I would like to move passage of item number 60.

>> Harper-madison: Councilmember Renteria.

>> Kitchen: Okay, thank you. We talked about this extensively the other day. So I'll just say again that what this does is that it brings -- it is options. So it has the city manager develops implementation and funding options to extend paid parental leave. And it has those options coming back to us in 30 days. And it also specifies consultation with the professionals from each of the public safety departments would be part of that -- developing

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those options as with fire police and ems. I know that we had -- I know that -- and I appreciate that we've gotten some information in terms of the memos that we just received. So I appreciate that. So that -- but that doesn't cover the scope of what we're asking for in this resolution. I also know that some people had expressed some concerns and really wanted to understand costs, which I think that is appropriate. And those costs will be coming back to us as well as the other -- you know, what the whole programmatic options are for us from an implementation and funding perspective. As written, this will come back to us with all of those options. I expressed my intent that from my perspective I felt like these benefits should be established benefits, and should not be part of the negotiation process. However, this resolution does

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not make that decision today. What this resolution does is that it says that these options will come back to us. So if folks -- you know, I respect that some people may not -- may want to see the costs, or maybe feel like they want more discussion before they determine for themselves whether they want this to be part of labor negotiations. So I just want to clarify what this does and doesn't do at this point in time. It directs for the information to come back to us in 30 days so that we can have that conversation and make a decision at that point. I stand by where I want to be with this, which is I don't -- I think that these benefits are a basic -- well, I consider benefits a basic human right. So I know that -- and for me that translates into not trading them as part of negotiations. But I understand that others may feel differently and we'll have that conversation when this comes back to us.

[6:29:27 PM]

>> Harper-madison: Any further discussion? Councilmember alter.

>> Alter: Thank you. Councilmember kitchen, I appreciate the way that you laid that out as the options. And I am concerned that -- and an idea and a request that was for pregnancy leave and very limited basis has changed into something much bigger, and while I in a perfect world would want everyone to have parental leave, we still operate in a situation where we have our sworn employees as part of a negotiation process. In that negotiation process over many, many years they have negotiated vacation benefits and other benefits that are way out of proportion to the rest of the benefits that other staff have. And I would like to ask staff to be able to -- to provide us more information on that when the

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options come back. I don't have a full sense -- I remember that we raised some of these issues during negotiations when we did it in 2017 and 2018. And we were told they didn't want these benefits. I mean, ultimately these are costs and there are some tradeoffs. I also recognize that all three -- that two of the three unions -- but at the time that we did negotiations, that all three unions were led by men and that would potentially interject some bias in favor of certain solutions. And so I think that we do need to account for that over time. But I don't fully -- we got some costs the other day and that suggests it's about \$2 million, which is a whole lot different than providing to firefighters with pregnancy leave, which seemed to make a lot more sense. And I want to interrogate some of these numbers a little bit more. I don't know that I'm going to be able to do that now.

[6:31:30 PM]

But I want to make -- so I guess that -- I want to check in with the city manager that when you bring these options back, that one of those options can be just doing pregnancy leave outside of the contract and doing the other part as part of the contract. And that we will have an opportunity to really see the differences and the benefits. I mean, when you have all of this vacation leave that is extra accruing over time, it is equivalent to being able to use that for some of the things. They are protected under FMLA, and it was very helpful to have the other stuff. So I just need more information before I would be able to make the investments. I'm not, you know, in a perfect world -- every person in the world would have parental leave much longer than the six weeks. And I would invite, you know, if the city manager or Mr. Tasai or anyone on the team wants to add further information that we think that we have -- I just want to make sure that we're

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having real options and it's not sort of a fete complete, because I think there's a lot more information and I think that we need a legal session on the negotiations. So, manager, or your staff, if you want to speak to that.

>> I appreciate that, and we certainly would want to make sure that council has all of the options that would be on the table. I appreciate the clarification that councilmember kitchen gave in introducing this resolution. Because that question of should this be bargained or not is certainly something that I want to get further direction from council on. But, Mr. Tasai, do you want to add anything?

>> Labor relations officer. No, city manager, I think that you said it all.

>> Harper-madison: Okay.

>> Kitchen: Mayor pro tem?

>> Harper-madison: Councilmember kitchen?

>> Kitchen: Okay, so I think that we're ready to vote. I do want to -- I'm going to

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resist discussing the merits anymore right now, because we're just moving this forward. I do want to thank Bob nicks for bringing this forward. He is a man, and men do recognize parental leave importance too. So I just wanted to give him a shout out for that. And then just say that there's a lot more to discuss, and I'm certainly open to all information being in front of us when we have that conversation.

>> Harper-madison: So I need to clarify just before we take the vote, because my partner is a first responder and I'm going to need to recuse myself from this vote. In which case it's moved and seconded. All in favor of item number 60. One, two -- it appears to be unanimous on the dais with mayor Adler off. And I have those updated numbers. So starting with part 7, where the compensation information begins. Part 7, compensation for the presiding judge is \$6,322.40 per pay period annualized to

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\$164,382.40. Paid in accord with normal city payroll practices. Part number 8, compensation for an associate judge, including the judge at the downtown Austin community court and the overnight magistrate for the Travis county booking facility is \$5,484 per pay period annualized to \$142,584. Paid in accord with normal city payroll practices. Compensation for substitute judge is \$65.72 per hour, paid in accord with normal city payroll practices. Part number 10, compensation for the presiding judge associate judges and substitute judges beginning January 1, 2022 and ending December 31, 2025 is subject to adjustment as provided in ordnan number 201-102-408, part 7. And the following benefits, a, participation in the city of Austin's retirement systems on terms applicable to full-time

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exempt city employees. Part B, participation in those group benefits plans and programs set forth in chapter a. Section 3b of the personnel policies under the terms and the conditions applicable to full-time exempt employees at the city. Part C, accrual of 7.67 hours of paid vacation leave per pay period, 24 pay periods per year, with the maximum accumulation of 400 hours. Part D, if eligible, service incentive pay in the same amount and under the same conditions as full-time exempt employees of the city not covered under a state civil service. Part 12, the term vacation leave in part 11 has the same meaning given to that in part a, I'm sorry -- given to that term in part a of the city of Austin personnel policies. Part 13, part 11 of this ordinance does not apply to substitute judges, substitute judges may purchase medical and dental health care coverage through the city's group

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healthcare program. The city should not subsidize premiums for substitute judges. Substitute judges should be eligible for earned sick days as provided in resolution number 201-80301-107. Part 14, substitute judge shall serve only as scheduled by the presiding judge. Part 15, this ordinance is effective January 1st, 2022. And --

>> Move version 3.

>> Harper-madison: Can I get a motion on this item. Councilmember pool?

>> Pool: Move version 3.

>> Harper-madison: Councilmember Kelly second. It's been seconded. Can we go ahead and take the vote. All in favor? We're unanimous on the dais on

[6:37:42 PM]

our very last item with mayor Adler off. And without objection -- let me make sure -- I don't prematurely gavel us out -- that was it. Without objection this city council meeting is adjourned at 6:37 P.M.