

City Council Regular Meeting Transcript – 3/3/2022

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[10:03:08 AM]

>> Alter: Should I go ahead? Good morning, I'll mayor pro tem Alison alter, Thursday,

[10:04:08 AM]

March 3rd, 2022, 10:03, Austin city council meeting. This meeting is being held in a hybrid way with many on the dais. I'm joined by councilmember kitchen, Fuentes, Ellis, myself, councilmember pool, Kelly, and councilmember vela. Councilmember tovo is around the corner and then we have councilmember harper-madison on the dais. The mayor will be absent today, traveling on city business, attending the U.S. Conference of mayors winter leadership meeting. So I'll be chairing the meeting. I would like to start today with a moment of silence for all the families and other victims of war in Ukraine. So if you can join me for a moment.

[10:05:39 AM]

>> Alter: Thank you. As you'll notice, most of the dais is wearing blue and yellow today in solidarity with the families and victims of the war in Ukraine. We are here to defend and promote democracy in our great city and we are here this in solidarity with all people who fight for democracy in Ukraine, in other societies, and in our on. Austin will always be a welcoming city for people fleeing war and oppression. And with that, I would like to turn us to our work and our business today. We're going to begin with -- I'm going to read out changes and corrections, and we'll talk about any pulled items and then we'll move

to the public communication on these items. So, changes and corrections to be read into the record, these are our following changes and corrections. For item number 5, the name of commissioner Penn was misspelled. The spelling has been corrected. Item 6 is now noted as being

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related to item 8. Item number 16 is being postponed to April 7th, 2022. Item number 17 is being postponed to March 24th, 2022. And we have late backup for items number 18, 23, 25, 43, 44, 45, 49, 50, 54, 57, and 58. Clerk, do I have that all correct? Thank you. So before we go through the consent agenda, I wanted to check if there were any items that folks would like to pull. I understand from councilmember tovo that she would like to pull items 23, 28, and 61. Are there any other items that folks would like to pull this morning? Councilmember tovo. >> Tovo: Mayor pro tem, I believe it's 28. I just have a very small amendment, so it may be able to stay on consent. I believe that's on its way down

[10:07:42 AM]

and I'll distribute as soon as I can. 23 is a followup with our staff to see -- that one should be pulled, because this will be a little longer. >> Alter: If you don't mind, I think I'll take anything that's got an amendment after consent and we can be quick through. I think we've got a pretty straightforward agenda. Councilmember pool. >> Pool: I just wanted to note, I know you'll give us a chance before we approve the consent agenda to make comments on some items. >> Alter: Absolutely. Thank you. I was just going to say that after I ran through the consent agenda. So our consent agenda for today includes items 1-33 and then items 60-61 with 23, 28, and 61 pulled. Again, that is items 1-33 and then item 60. 61 is pulled and 23 and 28 are pulled. Items not on the consent agenda are items 34-40, eminent domain,

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we will take those up after the consent agenda. And then we will then take up item 62, which is a committee referral from our Austin water oversight committee sponsored by councilmember Fuentes, who chairs that committee. We also have our ahfc agenda, item 41. And that is time certain for 10:30 A.M. And after that we can get to our pulled items. I think all of that will go very quickly and we can do that. Our zoning agenda which is time certain for 2:00 P.M. Today will include items 42-59 and item 63. For our speakers this morning we have six speakers in chambers and five individuals speaking remotely that I'm aware of. And they will each have three minutes. Later today we have six individuals speaking during public communication and 19 individuals speaking during our zoning agenda, including applicants. They will each have three minutes to speak. The applicants speaking will have five minutes if they choose to speak. So, we will take consent

[10:09:46 AM]

comments when we take a motion on the consent after we hear from the public. Is there anyone who has anything to raise before we move to discussion? No? Okay. So if the clerk will now call the speakers. >> Speaking on item 29, Seth Billingsley. >> Alter: You can come up to the podium. Please. Good morning. >> Good morning. My name is Seth, I'm the conservation associate for environment Texas, a statewide advocate for clean air, clean water, and open spaces and I am here to speak in support of item 29. >> Alter: Can you hold on one second? Is the mic working? >> Mask. >> Alter: You can begin again. >> All right. Good morning. My name is Seth, and I am here to support item 29. I am the conservation associate for environment Texas, a statewide advocate for clean

[10:10:47 AM]

air, clean water, and open spaces. Native bees and honeybees play a crucial role in the web of life that sustains us and all other species. Their contribution to pollination is vital for our food sources and they play, as I said, a critical role in ensure that life is able to continue. Environment Texas has worked for many years to save the bees, including work with mayor pro tem alter in 2018 to ban bee-killing pesticides on city property. This and other steps taken by the city of Austin already make us a leader in protecting pees pees -- bees and other pollinators. Certifying Austin as a bee city will help coordinate and amplify the city's other efforts, which are ongoing. Our campus staff has talked to tens of thousands of austinites and our city loves the bees and wants to protect them. So, thank you, councilmembers pool, Fuentes and tovo, as well as mayor pro tem alter, for

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sponsoring this resolution. From environment Texas, you are the bee's knees. Thank you. [Laughing] >> Alter: Thank you. [Applause] >> Alter: And I think we're all pleased to be a bee city. Thank you, councilmember pool, for bringing this forward. Everyone got their pictures? Okay. [Laughing] Next speaker, please. >> Adam altmed. Erica Thompson. >> Good morning, members of the council. My name is Erica Thompson and I'm here today to show my support for item 29, designating

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Austin as a bee city. I'm a full-time professional bee-keeper, the founder and owner of Texas bee works, and I have a large audience of over 10 million bee lovers who follow me online to learn about the

important work that bees and bee-keepers do every day. While I spend most of my time helping bees and helping people better understand bees, today the most important thing I could do was be here. And that's because I believe that designating Austin as a bee city is one of the most impactful things we can do for bees and other pollinators in Austin. I'm a proud native Texan and I've called Austin home for the past 15 years. Over that time, I've watched as more people move to Austin and our native landscapes and wildlife habitats become lesser and smaller and fewer. This leaves both honeybees and native bees struggling to find food and homes. By designating Austin as a bee city, we'll be able to protect and promote the health and

[10:13:49 AM]

wellness of bees and other essential pollinators by preserving their habitat and raising awareness for all the ways that bees contribute to our city and community. When you support Austin bees, you're also supporting local farmers and our local food system, as well as many of the flowers, bushes, and trees that rely on bees for survival and that make Austin such a special place to live. In addition to supporting Austin becoming a bee city today, I'd like to pledge my personal support and that of the Austin bee-keeping community to help however we best can to ensure this initiative is a long-term success for the people and bees of Austin. I think that if we work together and support pollinators through public policy like this, we can make every day another great day of saving the bees. Thank you. >> Alter: Thank you. >> Mayor pro tem. >> Alter: Yes, councilmember Fuentes. >> Fuentes: I just wanted to give my thank you to Ms. Thompson for joining us

[10:14:50 AM]

today. I think I'm not alone in watching her tiktok videos and videos online. I want to recommend for everyone to give her a follow. It's incredible the work that you do in saving the bees. I want to extend my gratitude. >> Thank you, councilwoman Fuentes, I appreciate that. And thank y'all so much. >> Rachel Scott. >> Is it okay if I take off my mask? >> Yes, you may. >> Good morning. Thank you very much for allowing me to speak. I appreciate the initiative on the part of councilwoman Vanessa Fuentes, who is my district councilman, and councilwoman pool, and all of you as well. And mayor pro tem alter, thank

[10:15:51 AM]

you very much for allowing me to speak. I'm a commissioner on the environmental commission, but I'm here speaking for myself today as a kind of a self-appointed bee ambassador. Because bees are to the environment kind of like the canary in the coal mine. For the coal miners that -- as you all probably know from history, that take the canary down with them. Can if the canary keeled over they knew that the air

wasn't that great and they'd better get out of the coal mine. Well, now we have bees that are in serious trouble. And all of you probably know, but just so that the public knows, we have 800 species

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identified in the state of Texas of bees. Not just the honeybees that we all know about that were imported from Europe, but we have 800 separate species of bees. And 90% of those, surprisingly, are not colony bees. They're individual bees that have their own little nest. And they're great for city parks and for backyards, landscaping, because they're not aggressive. They don't have anything to protect. They just have their own little tiny nest and so they're much safer, not that the regular honeybees are going to bother you as long as you leave them alone. But while they've been a real boon to agriculture and responsible for billions of

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dollars in work that they do for free, they don't have to be compensated, they're in big trouble. And I think you all know that, or this wouldn't be on the agenda today. And so the main reason that they are in trouble is habitat loss, which is pretty obvious. You deal with those issues every day. [Buzzer sounding] >> Pesticides. And so I urge that you vote in favor of this resolution. And I think that when you save the honeybees, you save people, and you save the environment for all of us, for the future going forward. >> Thank you. >> I want to thank you very

[10:18:54 AM]

much. >> Alter: Thank you. Next speaker, please. >> Shannon Henry. >> Hello, Austin city council. I am Shannon Henry, a freshman at UT and a member of the bee-keeping society. I'm here today to promote item number 29 to make Austin a certified bee city. Think globally, act locally. We are in the midst of a global pollinator crisis. Texas loses 40% of bee colonies a year because of urbanization, climate change, and pesticide usage. A few more statistics. One-third of the world's food production depends on bees. One in three spoonfuls we eat requires pollinators. In 2016, the usda reported that honeybees pollinate \$15 billion of crops a year. By becoming a bee city, we will relive environmental stressors by planting more native plants,

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reducing pesticide usage with integrated management plans and increasing community engagement and practices. We would be joining 150 other bee cities across the U.S., 9 of which are in Texas, including Arlington, Denton, and Beaumont. As the state capital, we must show we value bees. Let's do our part to make Austin a certified bee city. Thank you for letting me speak, and thank you for considering this bill, or this . . . >> Alter: Thank you. >> Desi tien. >> Austin city councilmembers, my name is Desi, a current senior at U.T., president of the bee-keeping association, and a member of the bee usa committee. I'm asking that you vote in

[10:20:55 AM]

favor of item 29, the proposal to certify Austin Texas as a bee city. Thank you for taking the time to review the proposal. I'm so proud of my city for showing continued interest in making Austin more sustainable and environmentally friendly. My organization, the bee-keeping society, worked to attain bee campus usa certification in June 2020. We submitted our first renewal report, an exciting milestone for us and the U.T. Staff members on our committee. As my time at U.T. Comes to a close, it fills me with joy to reflect on how far my organization has come since my first meeting in the fall of 2018. I know when I come back to campus as a U.T. Alum and see the native plants and pollinators I will know my legacy made an impact. I'm leaving a little piece of my heart with this organization. Austin city councilmembers, I urge you to think about the legacy of your service and the

[10:21:55 AM]

legacy of Austin in the wider Texas community. To vote in favor of this legislation is to vote for a more pollinator-friendly future that recognizes the value of native habitats and ecosystems. I would like to thank councilmembers pool, Fuentes, and tovo as well as mayor pro tem alter for sponsoring this agenda item. I hope that this proposal will blossom into pollinator-friendly action by the city of Austin. Thank you. >> Alter: Thank you for being with us this morning. >> Tovo: Mayor pro tem. >> That concludes in-person speakers. >> Alter: Councilmember tovo. >> Tovo: Thank you to all of the speakers. I did want to thank our last speaker. Thank you for your work on-campus, and your work towards seeing this initiative. >> Alter: Thank you. We'll now move to our virtual speakers, please. >> We have four speakers. Item 23, bill George. >> Good afternoon, I appreciate the opportunity to speak.

[10:22:56 AM]

My name is bill George, owner and CEO of whc worldwide. We operate trip in the Austin market. Many of you are familiar with that. The prior company, greater Austin transportation company that operated yellow cab went into a voluntary bankruptcy position over the summer. We were able to come in and purchase the assets to make sure that not a single day went by that the service wasn't on the street,

especially in the wheelchair van service. And it was extremely difficult to do this with the franchise model that's in place. We operate in 27 cities around the country. The operating authority is the general system you find in virtually every other city. The significance of that is when we go through things like a pandemic it makes it so much easier to have some commonsense changes made to the ordinance rather than going through a three-reading process. If you follow the history, one cab company was unable to get off the ground and another shut

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its doors during the pandemic because of the rules tied to the franchise agreement. And we feel the operating authority gives more flexibility to grow with Austin, to also be prepared for future events that may require a temporary reduction in service. But it keeps the companies healthy and able for us to do what we do, which is continue to add wheelchair vans to our fleet so people with disabilities can take taxi cabs for the same price on demand like all of our other riders. And we'd like to continue to expand the city onto this new model. So we're fully supportive of it, we're excited to be in the city and hope that you will pass this ordinance. It's just commonsense legislation. And I appreciate the time. >> Item 29, Cindy. >> Hi, I am a campus organizer

[10:24:56 AM]

with campus action. We are a student-funded and student-led nonprofit that trains and empowers students to be leaders and activists in their communities. And I'm here to speak on item 29. I got involved with this project last fall when my students at U.T. Austin expressed interest in running a save the bees campaign. U.T. Austin is already a bee campus and our students really wanted to see their city join the cause. Unfortunately, none of my students at U.T. Were able to be here today, but I know how passionate they are about this initiative and how hard they've worked getting their hands dirty to plant pollinator gardens at the Austin nature and science center. So I got a few comments from them this week that I'd like to share with you. Sophomore Reagan says, bees play a critical role in ensuring food security for our planet. And right now, this essential player in our ecosystem is being threatened by climate change,

[10:25:56 AM]

habitat loss and pesticide use. Bees have always been there for us. Now it's our turn to do the same for them. Senior Angelica says, as someone who is allergic to insects, even I appreciate the importance of bees. Let's protect them. Freshman Julian says, pollinators promote biodiversity, which is essential for the health and preservation of life. We cannot live without bees. Freshman Valerie says, bees are integral to maintaining a healthy ecosystem. Because of climate change, it's imperative to support these

pollinators now and do what we can to protect nature. And senior Annalisa says, Austin should be a bee city because pollinators are essential to our survival. We need to protect our environment and local parks in the midst of Austin's growing tech industry, because nature is an essential part of Austin's

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identity, which is one of the reasons I moved here. And lastly, I would like to formally thank councilmembers pool, Fuentes, tovo, and mayor pro tem alter for supporting this initiative. And thank you so much for your time. >> On item 30, owais Azar. >> Mayor pro tem and councilmembers, my name is awais Azar, chair of the community advisory committee. However, today I'm speaking on behalf of myself only. I want to speak in favor of item 30 that provides council direction in the application of the project connect anti-displacement funding. I want to thank councilmember kitchen for leading on this item in response to the recommendations of the community advisory committee. I want to thank councilmembers Fuentes, pool, and Renteria for

[10:27:58 AM]

their leadership. These funds are critical to ensure that we support our low-income and working communities, and communities of color that may feel the pressures of transit-enthused displacement. I appreciate council direction and commitment to prioritizing land acquisition and further direction provided through this resolution for this year. This resolution sets us out to expend these funds and put them into our community as quickly as possible and support our neighbors and friends by expanding affordable housing and other programs. I also want to show my appreciation for the direction provided to staff on how to gather community input and plan for the utilization of funds next year in collaboration with the community advisory committee. We should be proud in the community of our commitment to ensure that we improve our transit infrastructure while continuing to protect and serve the most vulnerable austinites. Project connect will be a

[10:28:59 AM]

transformational change for our community, supporting those who are most vulnerable and marginalized in having greater access to transit while also ensuring that we have the strategies in place to keep them in their communities. Thank you all for your commitment and leadership on this issue. >> On item 62, Francis Acuna. >> Can you hear me? >> Yes, proceed. >> My name is Francis Acuna. I'm a community lead organizer with gave, go Austin vamos Austin, and I'm here in support of item 29 to certify Austin as

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conservation, improve local food production, climate change and biodiversity. In support of item 62 to approve a resolution directing the city manager to provide recommendations for mitigation, adverse water utility bill impacts, experienced by customers due to the February of this year boiling water event, and in support of item 30 for the approval of a resolution to allocate anti-displacement funding with the understanding that when you talk about project connect capacity transit lines, I already raised my antennas, because when you talk about affordability, it means something different to everyone. [Audio stopped] >> 30 and 40% family income,

[10:31:05 AM]

which will be more representative. [Audio stopped] >> Is the speaker finished? >> But also give updates of what is being -- neutral/approval of item 28 and the resolution initiating amendments to the land development code to address challenges to the design and construction of public mobility and transit projects in the right-of-way. We all know -- [audio stopped] >> Speaker, you're cutting in and out.

[10:32:06 AM]

>> We can call her back. Ms. Acuna, we will return your call so that you can fix your audio. You're cutting in and out. >> Okay. >> On items 30, 32, 34, Zenobia Joseph. >> Thank you, mayor pro tem, council, I'm Zenobia Joseph. My comments specifically related to item 30, anti-displacement, specifically I am against this item because it is disingenuous for you to continue to speak about the \$300 million for anti-displacement initiatives that's actually contingent on 45% total funding. I just wanted to call to your attention specifically October 17th, 2019, council rezoned the Riverside. And about a week later, Mueller,

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the authors of the uprooted study noted you rezoned 1,000 affordable housing units, giving the greenlight for a displacement project. You then hired the anti-displacement officer nefertiti, and in her remarks March 1st to the urban transportation commission, she misstated that the monies were all allocated, the \$300 million. As it relates to eminent domain, I am against the city actually filing some type of action as it relates to the area near Samsung, specifically I want you to remember that July 27th, 2020, when project connect moved from \$10 billion to \$7 billion, you unilaterally eliminated the \$4.7 million Parmer metro rapid. The eminent domain case is to address congestion in the Samsung area, the extension to Harris branch. I want to call to your attention

[10:34:10 AM]

2014 project connect study which specified almost half of the population, 1.5 million people of the two most populated counties in the region reside in the north corridor by 2035. So there's no need for eminent domain. You already know that there's going to be congestion there. There's east village across in Samsung, 425-acre development, with 450 housing units that are homes that will be built there. And lastly, almost two-thirds of jobs in the two most populated counties will be located in this corridor by 2035 and will account for 58% of all jobs. And so it's disingenuous for you to engage in eminent domain when the 2014 project connect locally preferred alternative study noted the congestion in this area. And I will lastly just say that there needs to be a sidewalk from dessau, palmer to Samsung, because African Americans walk three miles to Samsung to work

[10:35:12 AM]

and the eminent domain goes from dawes and breaker and the pioneer crossing elementary area where there's no transit. But it does not address the that account -- fact that individuals are still walking. And the 1964, which prohibits discrimination. I'm not sure what the other item was that the clerk's office said I signed up for, but if you have any questions, I'll gladly answer them at this time. >> Alter: Thank you, Ms. Joseph. Clerk, were you able to get Ms. Acuna back on? >> You're welcome. >> We have Francis Acuna back on the line. >> Alter: Ms. Acuna, if you want to finish your remarks, I think we heard the first half, but not the second half. >> Okay. So I'll go to item 28? Did you hear that? >> Alter: Why don't you just go ahead and make your remarks and that will make it easier for

[10:36:16 AM]

you. >> Okay. I'm going to go back to item 30 for the approval of a resolution to allocate the project connect anti-displacement funding with the understanding that when you talk about project connect high-capacity transit lines, I already raise my antennas, because when you talk about anti-displacement and affordability, it means something different for everyone. I want the city manager to analyze the risk of displacement by zip codes, not by 60% mfi, but to look at the 30 and 40 family income which would be more representative of the low-income communities in which -- in the eastern crescent. And I ask that you not only include communities that would impact -- that would be impacted, but also to give updates of what is being resolved. I am in neutral/approval of item 28 and the resolution

[10:37:18 AM]

initiating amendments to the land development code to address challenges to the design and construction of public mobility and transit projects in the right-of-way. We all know the land development code is a sensitive topic or issue when it comes to displacement, gentrification, affordability, but especially a sensitive issue when it comes to trusting that the equitable thing will be done. Pleasant valley to William cannon are low-income residential neighborhoods. I do not want, with the improvement or construction in the right-of-way displacement to happen. >> Thank you, speaker. Your time has expired. >> That concludes our remote speakers for the consent agenda. >> Alter: Thank you very much. Before we entertain a motion for the consent agenda, I believe we

[10:38:18 AM]

have a presentation from law on item number 60, which relates to a settlement. Good morning. >> Mayor pro tem and council, I was not offered any bee antenna, and so I would like an extra pair if one's left over. >> Alter: Can we make sure that the microphone is working and if you can also state your name. >> I want one of the bee antennas. >> Alter: We might be able to make that happen. You've been working hard. >> Thank you. Maybe if I raise it up. My name is Dan Richards, I'm a lawyer in Austin, I represent the city of Austin. I recommend you approval \$2,950,000 to resolve the claims of Bradley against the city of Austin. This claim is related to significant injuries he received during his participation in the may 30th, 2020 protest near the northbound access road of ih35 in exchange for the payment, he

[10:39:20 AM]

and his attorney will execute a full and final release of the city related to all injuries he received. If you have any questions, I'm happy to answer them. >> Alter: Thank you. We will note that amount in for the item number 60. Colleagues, are there any questions for Mr. Richards? >> Thank you. >> Alter: Thank you, Mr. Richards. Do I have a motion to approve the consent agenda? Councilmember Fuentes moves approval. Councilmember Ellis seconds approval of the consent agenda. Our consent agenda this morning is items 1-33 with 23 and 28 pulled and then item 60. Again, that's items 1-33 with 23 and 28 pulled and then item 60. Colleagues, are there comments on the consent agenda? Councilmember pool, and then councilmember Kelly and then councilmember kitchen.

[10:40:21 AM]

>> Pool: Thank you so much, mayor pro tem. I just wanted to take a moment to speak to item 29, which is the certification for a bee city for Austin, Texas. It supports our park staff and the community partners in their efforts to certify Austin as a bee city usa affiliate. This is extremely important because we are losing the biodiversity that bees represent at a swift pace. And that is exceedingly concerning. Right now, only about 13% of the United States is permanently protected and managed primarily for

biodiversity, which is according to the United States geological survey. The Biden administration wants to increase that to 30%. It's part of a larger global push known as 30 by 30 to safeguard at least 30% of the planet's land and waters by

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2030. The habitats of hundreds of imperilled species are not now in protected areas. In central Texas, our formal protections include the golden cheek warbler, the salamander, and our focus must also include bees, butterflies, and flowering plants. This work is key to ensuring our planet survives and adapts to the pressures of climate change. So that's why we have this resolution on our agenda today, one of a number of climate-oriented resolutions we have brought over the past eight years. We are focusing in Austin and with this council on saving open spaces and in this specific case eliminating the use of toxic chemicals and pesticides locally. My sincere thank yous to all of the many folks who came here today. Such great supporters speaking in favor of this item and the

[10:42:24 AM]

bee city certification effort. I'd also like to thank my cosponsors for joining me on this resolution of support at the very least. We wanted to create a big buzz. [Laughing] >> Pool: But the true buzz is being created by our park staff and our community partners who over the past two years have spent many hours gathering support for this certification, working to meet the stringent criteria the application requires and finally bringing it to us here today for our support. My deepest gratitude goes to our wonderful park staff, to our dedicated community partners, too, and the pollinate Austin %-@coalition. You all are doing such good work. So I'm really excited about all the community activities you're planning this spring. There's a kickoff event happening this Saturday at the Austin nature and science center. One of my favorite features of the center is the installation

[10:43:25 AM]

where you can view the inside of a huge beehive. As I understand it, that installation will be getting a renovation soon, which is part of this overall support for our bee and pollinator population. I can't wait to see it. So, I'm sure you don't need me to drone on, so let me just end with a little bee joke. Who are the smartest pollinators? Spelling bees. [Laughing] >> Pool: Thanks so much. >> Alter: Councilmember Kelly, councilmember kitchen after that. >> Kelly: Thank you. I'd like to highlight for a moment items 20 and 21 on our agenda today. The city of Austin has worked hard to help victims of crimes and we've made several significant strides in the last few years at the direction of counsel. I want to thank my colleagues for working towards making those significant changes possible,

[10:44:25 AM]

but I want to take a moment and highlight what the approval of this project will do. The victims of crime act supplemental award will allow for the city of Austin to fund salaries and benefits for four additional full-time victim counselor positions with minimal supply and training costs. APD counselors provide mental health and practical intervention for victims of crime as close to the time of an incident as possible. This intervention may include crisis counseling and stabilization, justice support, personal advocacy, emergency placement in a shelter, safety planning, information and referrals to other helpful service providers. APD anticipates that this project will provide services for an estimated 600 victims of crime over the remainder of the project period. I want to thank the state of Texas office of the governor criminal justice division for making this possible. The next item that I would like to make remarks on is item 33. It really warms my heart to see this on our agenda today. District 6 has many areas for improvement, and one of them is

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having the ability for a close in proximity fire, police, and EMS station. Item 33 proposes the voluntary full purpose annexation of a city owned 16-acre property adjacent to district 6 in northwest Austin. The subject property is near 9804 North FM 620 Road, planned for a co-located police, fire, and EMS station. This EMS station and fire station is among one of the high-priority stations planned for development currently and we really need one out there. So I'm thankful for that. I also want to say something about item 26 very quickly. It was brought forward by councilmember Tovo. I wasn't aware that that item was an issue and I'm glad that he and her cosponsors were able to come together to create a communication mechanism across departments, especially if there might be environmental impact due to firefighting activities. I really appreciated that. Finally, clerk's office, I abstain on item number 60 today. Thank you.

[10:46:31 AM]

>> Kitchen: Thank you. I want to comment today on item number 30, which relates to the funding for anti-displacement related to Project Connect. I want to thank my cosponsors, councilmembers Fuentes, Pool, Vela and Renteria, as well as the whole council. This council -- I've been very proud of the efforts of this council in their commitment to anti-displacement dollars and their commitment to Project Connect. So I think my thank you and recognition extends beyond my cosponsors. So, a couple quick things about this. What this does is it speaks to the -- and reiterates the immediate expenditure of the dollars that are available to us now for anti-displacement. It reiterates the dollars that we committed last year, which

[10:47:32 AM]

are in the process right now of being -- you know, selection and distribution. And that's for 21 million was last year -- no, 23 million, excuse me, last year for land acquisition and affordable housing preservation. What this does is it carries forward the recommendation from our community advisory committee and our staff to designate \$21 million out of the dollars that are available this year, \$21 million for affordable housing through our assistance programs and \$20 million for initiatives based on a notice for funding which is in the process of going out that relates to our contract with the voters strategies, the equity tool, and the data-informed maps with regard to locations in our city along the project connect lines that are at risk for gentrification. I want to highlight the last part of the resolution because I

[10:48:33 AM]

think this is -- looks to the future and continues to carry out the work of the community advisory committee and our staff in terms of working with the community on what is the prioritizing and identifying the most effective strategies in the locations in our city that are at highest risk for gentrification. So, the last clause has a four-step process which speaks in terms of analyzing the locations that have been identified at risk for displacement, identifying strategies for those specific locations, in other words, what's going to be effective to mitigate displacement in those specific locations, and then aligning strategies with community engagement, with the communities with people who are living in those locations and with the work of the community advisory committee.

[10:49:33 AM]

And then coming out in the future years, next year for the the dollars available to us in fiscal year 2023 and targeting a solicitation process that's targeted to the specific areas and the specific strategies that have been developed by the people living in those areas, along with the community advisory committee. And that's in addition of course to our continued effort to work towards land acquisition and affordable housing through these dollars. So, I just want to close by saying that this is a recognition and a thank you to our staff, to the community advisory committee and to everyone who's been involved with the anti-displacement efforts, that we continue to act as quickly as we possibly can and as effectively and as focused as we possibly can, understanding that this needs to be community-led, because that's what's going to get us the most effective response when trying

[10:50:35 AM]

to mitigate and address displacement. And so I want to thank everyone that's been involved with this. I'm excited about project connect, but I'm even more excited about what we can do if we remain focused and committed to our anti-displacement efforts. Thank you. >> Alter: Thank you, councilmember kitchen, and thank you for your leadership on the displacement funding. I think it's something I'm really proud of that our community and our council was able to put forward. Councilmember Fuentes? >> Fuentes: Thank you. First I wanted to speak on item 29. I'm so excited to see this item move forward and our efforts to designate Austin as a bee-friendly city. As was shared earlier by our community -- and thank you to the community for stepping up and organizing and helping initiate this process. We know just how important it is to protect pollinators and their habitats and it is especially important because this will help

[10:51:36 AM]

us have a more resilient food system and agriculture system. So, knowing that climate change is happening and worsening, it's even more important that we take these steps so that we can better protect our community and our habitat. And so I'm excited to be part of this effort and want to thank councilmember pool for her strong leadership in bringing this forward, and for staff and all of the community for their hard work on working on this item. And I'm excited to see everyone hopefully on Saturday at the Austin nature center. That will be a nice and fun event. I also wanted to thank councilmember kitchen for her leadership on project connect and mobility and especially on these anti-displacement dollars. As you just laid out, it is so important. I often talk about the displacement crisis that we're in. So knowing that the voters have overwhelmingly voted in support of project connect and that's over \$300 million towards anti-displacement, it is incumbent upon us to quickly

[10:52:37 AM]

move out these dollars, especially for land acquisition and preservation. And so I'm excited to -- and join you in wanting to move forward knowing the tough market that we're in right now. And so lastly on a personal note, I wanted to give my huge thank you to my chief of staff, Jessica morales, who will be leaving our district 2 team, but not going too far, because she is going to the Austin transportation department to join their team, working very closely with council offices. And she has been with the city of Austin for eight years now. She was with the city manager's office before she joined district 2 and was just absolutely critical in laying the foundation of our office operations and ensuring that we had a strong start in serving our community. If you know Jessica, you now how hard she works, how incredibly

[10:53:40 AM]

smart and talented that she is, highly skilled. And so I am just so appreciative to have had the opportunity to work closely with her, to have her leadership in my office, and wish her the best at the Austin transportation department. So, thank you so much, Jessica. >> Alter: Thank you. Councilmember tovo. >> Tovo: Thank you. There's a lot of great work today on the agenda and I'm not going to echo some of my colleagues' comments, but I just appreciate my colleagues' leadership on so many of these important issues. Councilmember kitchen, I had indicated on the message board when you posted about the allocation of the anti-displacement funds that I was interested in being a cosponsor, but you have five already. But I would like to ask if you would be okay with my adding myself in this public forum. >> Kitchen: Councilmember tovo, you did. And we intended to make sure that that was on the changes and corrections. It looks like maybe that didn't

[10:54:41 AM]

happen, so can we make a note of that today? >> So noted. >> Kitchen: Thank you. >> Tovo: Great. Thank you so much. >> Alter: Any other comments? So, as my colleagues have noted, there's a lot of really good things on the agenda. Before we move forward I want to note item 33 for the potential annexation for the police/fire station is setting a public hearing. A future date we'll be taking up that vote, which I look forward to supporting, for it's very necessary. Thank you to councilmember pool and other cosponsors, councilmember Fuentes and tovo, I'm pleased to join you in the resolution for the bee city for all of the reasons that have already been enumerated. For victim services, items 20 and 21, thank you councilmember Kelly for raising those issues. I'm really pleased to see the state of Texas step up with

[10:55:43 AM]

additional dollars for this program which is going to allow us to fund four additional victim service counselors. Unfortunately, there are many people who are victims of crime and we have an opportunity through our victim services division to serve them better with the aid of these resources, so I'm very pleased to see that. I also wanted to note item number 5, which involves advancement of the Davis and Hancox water treatment process. These will advance flood resilience improvements as these plants. These improvements were identified as important to make after the 2018 water turbidity issues. These were implemented already at Ullrich, and this will strengthen our water supply systems and prevent future

[10:56:44 AM]

issues. I do want to note before we go on that there are two fee waivers on the agenda that do potentially require additional fee waivers if anyone is interested. Item number 27 is dual language for bi-

literacy. Councilmember tovo, do you know how much more they need? I think that was your item. It was another 200? >> Tovo: Let me just pull that up quickly. >> Alter: And the other item so you guys can chime if for both is the sunshine run. Several of us are already putting forward \$500, but there's quite a bit left on that for fee waivers. So, those are item 27 is the bi-literacy and the sunshine funding is 31. Councilmember Kelly? >> Kelly: I was just going to say if I could contribute \$100 to each, I'd be happy to. >> Alter: Thank you. Councilmember Fuentes? >> Fuentes: Thank you. I am on the dual language item already, but I'd also like to

[10:57:44 AM]

contribute to the Austin sunshine camps as well, if you could put me down for \$200. >> Alter: Thank you. And I think that the dual language might have been \$200 that was needed and I will put the balance of that, which I think is \$100. So that one will be complete. So, thank you, councilmember Kelly and councilmember Fuentes for stepping up on those. >> Tovo: Mayor pro tem. I just heard from my staff that we may have covered the bilingual with the existing funding, so maybe we could just make those additional fee waivers contingent on . . . >> Alter: Sure. I'm pretty sure that the backup had an additional amount that was necessary. Clerk, do you have clarity on that? For moving forward? >> I do not have the information pulled right now, but we will make it contingent upon . . . >> Alter: Great. Thank you. >> Tovo: So the challenge is,

[10:58:45 AM]

I just got some more additional information. The \$200 is a deposit and it cannot be waived. >> Alter: Okay. Well, then I will put my \$100 towards the sunshine camp that I was doing for that one. Great. Thank you so much. We are now ready for a vote, which will be on the consent, which is items 1-33 with 23 and 28 pulled and item 60, with 61 pulled, with everything as noted with the changes during our comments. We have a motion and a second. Councilmember harper-madison, I am not being good about looking up there. Did you have anything to add before we vote? >> Harper-madison: I did >> Harper-madison: I did not. I appreciate that. You saw me hobbling earlier and trying to elevate sitting up right was not working. So for the large part my camera will be off.

[10:59:46 AM]

So I did not contribute anything. I'd like to speak on item 23, but it's not on consent. >> Alter: No, it's not. It's been pulled. All those in favor of the consent agenda? Okay. That is unanimous 10-0 with one absence and the notations that we made earlier. Thank you. What I'd like to do is take up our eminent domain items that were not on the consent agenda quickly and then we will go to the Austin housing finance corporation and then take up the pulled items. So with respect to items 34 through 40 being

non-consent condemnation items, is there a motion to the effect that the city council of Austin authorizes the use of the power of eminent domain to acquire the properties set forth and described in the agenda for the current meeting for the public uses described therein. Do I have a motion?

[11:00:48 AM]

Council member Fuentes makes the motion. Councilmember tovo seconds. All those in favor? That is 10-0 with the mayor off the dais. So I am now going to recess the meeting of the Austin city council here at 11:00 on March 3rd and I'll convene the meeting of the Austin housing finance corporation at 11:01 on March 3rd, 2022. Is staff here to take us through the consent agenda. I think Ms. De mayo is on. >> Yes, we are here. Mandy de mayo, Austin housing finance corporation. You have three things on today's agenda. The first item is approving meeting minutes from January 27th and February 3rd of 2022. The second item is approving us moving forward with a loan agreement with

[11:01:48 AM]

summertree development for an ownership housing development assistance project to be developed at 7308 south congress in district 2. This is for \$460,000 and will result in 37 affordable home ownership units. And the third item is approving us to move forward with the loan agreement with integral care for the development of Menchaca supportive housing, 45 Puentes, all efficiency, for folks at 30% and 50% median family income. That is at 7133 Menchaca road in district 5. We are happy to answer any questions. I offer all of those on consent. >> Mayor Adler: Thank you. Is there a motion to approve these items? Is there a motion to approve these items? Councilmember Renteria moves approval. Councilmember Ellis -- councilmember harper-madison

[11:02:48 AM]

seconds that. Any comments on the consent agenda? Seeing no comments, all those in favor of the consent agenda for ahfc please raise your hand. So we have I think nine of us on the database with mayor Adler absent and -- on the dais with mayor Adler absent and councilmember tovo off the dais. Thank you, it passes. And I'll now adjourn the meeting of the Austin housing finance corporation at 11:03 on March 3rd and I'll reconvene the meeting of the Austin city council meeting at 11:03 on March 3rd. Thank you very much. >> Thank you. >> Alter: Okay. So I think now we are ready to take up item 23. Councilmember tovo had pulled this. Oh, 62.

[11:03:51 AM]

We'll take up item 62 from the Austin water committee. Council member Fuentes, would you like to introduce this item, please? >> Fuentes: Yes, thank you. So this item, colleagues, is about taking a look at the impacts that our community faced during the boil water notice that we went through in February. As you know during winter storm uri staff also pursued similar action but this is -- since this is a much smaller -- we had a much smaller event this time, staff was considering a goodwill credit. So what this resolution does is ask staff to return back to council with options for us to consider, one being a ten-dollar goodwill credit to customers that as we know had to boil more water and more go out and buy bottled water and had an impact. But it also asked for us to look at what if we took those dollars and instead reinvested into the infrastructure and operations of our utility.

[11:04:52 AM]

And hearing from the community, many have said that they would prefer for us to ensure that we have reliability and consistency with our utility so it asked staff to come back to us with those options laid out so we can have and make an informed decision later this month. So that's what this item calls for. >> Alter: Thank you. Council member Fuentes makes the motion to approve item 62. Do I have a second? Councilmember Ellis seconds that motion? Thank you, council member Fuentes for bringing this forward. We had some good discussion in the Austin water oversight committee and I'm pleased to see us bring this forward and to make sure that whatever steps that we're taking are the most effective to -- for our community and that we are good stewards of that funding. Councilmember kitchen. >> Kitchen: Yes. I want to thank council

[11:05:54 AM]

member Fuentes for bringing this forward as chair of the water oversight committee and thank everyone, including mayor pro tem for efforts that she's put forward regarding addressing the situation with the water boil notice. So I think this is one step, thank you, council member Fuentes, that is really important for our community to move forward with. So thank you very much for bringing that. >> Alter: Any other comments? Seeing none let's take a vote. All those in favor? That's all of us, so that's 10-0 with the mayor absent. Thank you very much. I believe that is all of our items except for the pulled items, and zoning. So I will -- councilmember tovo, are you ready for 23 yet? >> Tovo: Yes. >> Alter: Okay.

[11:07:00 AM]

Do you want to -- is 23 an [indiscernible]. That's the taxicabs. >> Tovo: Thank you, my apologies. I would like to hear a report from our transportation department about the progress that they've been able to make hopefully with -- working with aviation to get a fix on where the taxicab stands are. >> Council member, Robert spillar, Austin transportation department. I believe our aviation director, Jacqueline yavt is on, and I would refer to her for the airport related issues, but I believe we had responded to the other questions that you had presented for us. >> Tovo: I'm sorry, I couldn't hear the last thing you've said. >> I said I believe we've responded to the other questions related to the impact or the benefit of the

[11:08:00 AM]

change. >> Tovo: Yes, thank you. And thank you, I saw those in the changes and corrections so I appreciate that additional information. >> Yes, ma'am. So I believe that Jackie is online. >> Alter: Do we have Ms. Yaveta online? Hang on one minute while we either bring her online or Ms. Fiandaca perhaps. >> Good morning, council member. This is gentleman with a lien yaft. Sorry, I was just waiting to be unmuted. >> Alter: Good morning.

[11:09:02 AM]

We can't see you, but we can hear you. >> Okay. Good morning. This is Jacqueline yaft, the director for Austin airport. And I'd love to give a quick overview. I don't have any slides today and I'm happy to come in with a full report on the taxicab and the curbside utilization. Back in 2017-2018 due to the numbers of traffic growing at eight percent, the decision was made because of the traffic congestion and the size of the curbside that we had to relocate the taxicab for Uber and Lyft and all the ground transportation folks to the lower level of the garage. The traffic at the time was backed up all the way to I-71 causing congestion of traffic and people not able to leave. And we had a lot of people in the arrival line and waiting a longer time

[11:10:03 AM]

because of the volume of vehicles we had. Since then the volume has been able to become manageable and right now today post-covid we're actually in a recovery number of passengers and passed 2019 numbers. That is mainly one of the reasons we're not moving the taxi or the other ground transportation to the curbside is first the traffic management. We still see today, and I'll be happy to show you pictures or send in a report later, of how the traffic is backed up with the private and even commercial vehicles for the ground transportation. We do have signage all the way to where the tnc and the taxi picks you. It's very manageable there especially because of the wait time folks wait to order or by the time they walk and get their luggage. Most airports, and I can also give another report, a lot of

the airports have around the country because of the volume and the unknown time when the passengers will get off the flight, get their luggage

[11:11:04 AM]

eventually and be able to walk out and get to the taxicab. The second reason why we are recommending to keep the taxi and the tnc also there is we are about to start our aed program. The program involves land side and terminal improvements. One of the projects that you have on your agenda today is baggage system, which will create a lot of modifications in arrival level to be able to upgrade our baggage acknowledge system to handle the capacity of our baggage and airlines and passengers, which will have to take some of the curbside and quarter it into a construction fenced area. So we don't really have a lot of curbside to be able to accommodate the number of passengers we are seeing. We are seeing about \$50,000, 50/50 on arrival and departures, about 50,000 people arriving at Austin airport today, which exceeds way our subsidy. -- Curbside.

[11:12:07 AM]

Our 2040 master plan had a study of the curbside and realized that we are deficient in the curbside as we increase in our passenger growth. Part of the airport participation development program, is address the curbside, the provides and also increase the capacity on that to handle the demand that we're seeing. The third item is the taxicab and the ground transportation other providers pay a fee to get into the airplane as part of the permitting into the airport for a circulation fee and to create an equity between all ground transportation providers that was one of the locations that would be able to handle all the demand on all of the passengers there. Now, as far as the distance, we have several things in place and we're working on several things. One is we do have a tram service on the lower level so when the customers come and get their luggage they cross the road and also get into and be able to take a tram that will drop them right there without crossing

[11:13:07 AM]

two lanes to get into the ground transportation area. We also have for folks with disability or wheelchair services, we do have a special request where they can get picked up on the arrival level by the taxi or the other ground transportation providers when the request is made. We monitor that request on a daily basis. We get about an average of six to seven requests a day and we accommodate those with our grouped transportation and operation staff. I also want to highlight that the taxicab and the ground transportation providers are able to drop at the upper level today for departures. It is only the arrival levels that we do not allow the dwelling or the pickup from the arrival levels and that is what's handled

in the ground transportation center. We also are working on several other options for the folks with disability and wheelchair services with the wheelchair providers as a follow-up to

[11:14:10 AM]

harper-madison's request to look into it and we have some recommendations that we'll be coming up soon to you. I have a lot of those and I can showcase those in a future report. I can answer any questions as to why we are -- a lot of it is when we're talking about design. Specifically it also has been looked at by a consultants as far as the curbside and the number of passengers and number of vehicles that we have to make it manageable. We do have security guards that continue to manage during our traffic times, but it still backs up today all the way to the gas station in the Hilton hotel without the taxicabs and the ground transportation. Happy to answer any questions. >> Alter: Councilmember tovo. >> Tovo: I have about a zillion and I don't know that we really want to dive into this issue in as much detail as we're really going to need to it seems like. Let me just say a couple of things. I can tell you as a user of the airport and as somebody who has heard this concern from others as well, I mean,

[11:15:12 AM]

there have been times where on my return I've actually asked somebody to come pick me up and add car to that long line of traffic because it is so challenging to get from the airport to the taxi stand and that's -- obviously it's doable, it's through the parking garage. Again, this might be a factor of being a mom with two teens coming in in the middle of the night trying to get everybody motivated to lug their luggage on a big -- the what at that hour kind of seems a big long stretch. But I think as I think about it it is an on-demand service and I have to believe that there are people who arrive at the airport and don't see a cab waiting and then try to have to make another arrangement. So I do think it should be treated differently from tncs. I think we are creating a disincentive for people to use the cabs. I think we're add to go the problems that the cab industry is having,

[11:16:14 AM]

especially since airport traffic was one of the mainstays of their business. And I think we all have a vested -- I think there's a lot of benefit to helping retain the cab industry in Austin and helping the cell phone lot and the cab waiting area and the cab driver waiting lobby was a very good mix of making sure that we don't have a long cue of cabs sitting right crouse baggage but that they are coming as needed but we're still providing that as a service to customers coming. So I have questions about what you have to say, but -- I appreciate that certainly design is part of that and I hear what you're saying that some other airports have moved to model of this as well. I would ask that we -- ecosystem going to provide

some direction. Let me ask this question. Do tnc applications restrict those drivers from actually being at baggage claim?

[11:17:14 AM]

>> Yes, correct. They are not allowed at baggage claim. Only for departure, they are allowed for the departure dropoffs like the taxicabs also. >> Tovo: Is that monitored through geo fencing or does the application itself restrict them? >> The geo fencing tells us exactly and then we have a penalty program and also suspension program of anybody that actually does not follow the rules. >> Tovo: Okay, thank you. So I think what I'd like to do today, colleagues. I certainly have heard this concern from other users who would like the option of using a taxi and would like it to be more convenient to where they're landing. And we heard it from drivers themselves, from the company themselves who wrote to us and asked us and actually used it as an argument against the operating authority. I don't think it's the operating authority, but a concern from the cab industry we should take seriously. Today I would like to pass this item with the

[11:18:16 AM]

additional direction that our aviation department summarize the really important information that you just provided to us. I think that would be the easiest way to sift through it and follow up with questions. And also I would like to ask the manager to return to us for any recommendations for changes that would make for a more convenient location that accommodates the concern we've heard from the taxicab companies about the way that shift has impacted their business. >> Alter: Thank you, councilmember tovo, for raising these really important issues. And I would like to ask Ms. Yaft, is it feasible to divide -- it seems like our taxicab owners are being asked to provide additional services to the community, but tncs are not. And maybe I'm mistaken on that and whether there's an opportunity to have tncs

[11:19:16 AM]

in one place and taxicabs more on the curb. >> Yeah. So both tncs and the taxicabs provide the same exact, which is what we call the ground transportation service. As a matter of fact, the tncs pay a higher fee than the taxicabs today at the airport coming in. They are also bound by the geo fence that tncs are. In the distance from the airport -- which is the distance basically of the distance of the parking garage lower level. We do have separate curbs for the taxicabs which they line up. We have separate curb for the tncs, the customers and signage, they are able to walk or take the tram as I said that's available. But both offer ground transportation services to the customers, it's just the customer choice either they walk up to the taxicab or order the tnc. As I mentioned, it's only for the arrivals, the

[11:20:17 AM]

pickups, but not the departures. The paratransit captures are allowed to come to the curbside because the time frame it takes to pull up to the curb, just drop somebody and leave, is much quicker. The reason on the arrival level and a lot of airports similar to Austin, went to the model of putting them different, is the dwelling time to be able to wait for the customer and to match it with the vehicle. And also the curbside, the design at Austin today was designed for 11 million passengers. In 2019 we handled 17 million. Starting next week, March -- with the 20 extra flights that we will be experiencing, we will be hitting about 20 million passengers this year for 2022-2023. So it's almost doubling the size of what the curbside was designed for and the congestion along that is one of the issues that we were dealing with back then is the congestion and the wait time for customers to get either the private vehicle picking up, which is the double the number of taxis

[11:21:17 AM]

and tncs today or the ground transportation. >> Alter: Sorry to interrupt you, Ms. Yaft. I'm being asked to keep us on the taxi franchise agreement topic. Do you want to point out they may provide the same ground transportation at the airport, but within our community they're not doing the same things. So I think that's a question that we should explore. Councilmember tovo, did you have any further comments trying to stay on the -- >> Tovo: Yes, but I'm going to go ahead and make a motion to pass 23 and if I get a second I see councilmember harper-madison has some comments and I do have a couple of comments that relate to moving us forward on this issue. >> Alter: So councilmember tovo moves approval of item 23. >> Harper-madison:;, are you seconding that? With you also like to speak? Councilmember harper-madison seconds that and would also like to speak. Go ahead. >> Harper-madison: Thank you, I appreciate it. I think to councilmember tovo's point, a lot of what we're going to need to continue to discuss is going to be a continued

[11:22:20 AM]

conversation. I appreciate that the information that we've requested for Ada accommodations will be forthcoming because that's a part of my question. And mayor pro tem alter, I don't know if this was the point you were getting at, but while they do provide the same service, if I'm not mistaken, taxicabs are required to be Ada accessible whereas the tncs are not. So if that is the case, I wanted to be sure to express my concern about people having to access the tram and having to access ground transportation to get to a taxi. What about the folks who need to -- not walk, but need to get from the door to the awaiting vehicle. So I really hope there's a way to figure it out. I appreciate the numerical data going from 11 million

[11:23:21 AM]

to 20 plus million. That really does help me visualize what the capacity issue is, but I think there has to be a way. Anyway, I look forward to continuing the conversation. I think there has to be a way. I think there definitely should be a way. >> Alter: Director spillar, would you like to clarify? >> Yes, I was just going to confirm that taxis are licensed by or permitted by the city. And tncs are permitted by the state. At the city we require a six percent commitment or a commitment of six percent of the taxis to be Ada compatible meaning that typically that the wheelchairs in this case is the salient issue, can board those issues by rolling on or direct lift. I do not know what requirements of the tncs, but I know a few of them, if any, are equipped to take wheelchairs on directly. I do know anecdotally that

[11:24:22 AM]

they serve the handicapped or the community with mobility disabilities by helping them to load and putting wheelchairs in the trunks, but we don't have control over the Ada requirements for the tncs. >> Alter: Thank you. I think this is a conversation we'll need to continue. Council member Fuentes. >> Fuentes: I wanted to add that I appreciate this conversation. I certainly think it's worth a deep dive especially as it pertains to accessibility. I want to make sure we are doing right by our community and also want appreciate director yaft's comments about the design where it's currently located because I think having that human design approach is valuable. I know that I've ordered tncs as I've landed and then by the time I got to the area where they're available it's already there for me. So it's nice to have that lead-up and I think it will probably lead to less complaints about lead times. I know there is intention about every decision made,

[11:25:22 AM]

so this is certainly worthy of a deeper conversation. Thank you. >> Alter: Council member vela. >> Vela: I want to echo councilmember tovo's comments about the accessibility and with regard to the taxicabs. I completely understand, especially director spillar, with regard to the numbers. I know that the airport is doing the best it can with the capacity issues that we have, but it is tough I think especially for elderly travelers and other folks to walk a longer distance to get to their cabs and again, not to kind of generalize, but I think a lot of elderly cabs still rely on cabs and it's hard for them to get there. I know that item 23 is not highlighting that issue, but I appreciate councilmember tovo highlighting that and I wanted to echo her concerns. Thank you. >> Alter: Councilmember tovo. >> Tovo: Thank you,

[11:26:24 AM]

council member vela. And I wanted to say one difference, it is an on-demand service. You might walk to an area and find there are no cabs there. It's fundamental difference between the way that tncs are operating. And yes, it may make great design for them to be where they are so you can order it when you land and have it there waiting, but the fact of the matter is you can walk to the taxicab stand and find there are no cabs there because it's becoming a cyclical problem of there is less demand so the cabs aren't now at the airport. So -- to clarify, I was asking that they return -- that the direction be to come back and find a solution for locating the taxicabs, not necessarily the tncs, for all the reasons, director yaft, that you've suggested, including the designed human centered approach and timing and whatnot. Part of the traffic at that time where this big change was made had to do with the tncs circling the airport waiting for their passenger to arrive and looking to try to identify the person who was on their app.

[11:27:27 AM]

So I think that moving the tncs was really an appropriate move. The city manager, so the additional correction I'm providing is the city manager is directed to provide a memo summarizing the director's remarks here on March third, 2022. And to recommend options for making taxicab pickups by the luggage chamber by may 1, 2022. So basically summarize the comments that we had -- sorry. Summarizing the comments that director yaft made, that were really wonderful and rich and detailed. I couldn't capture them all and I think it would be useful to have in a memo and come back to us by may 1, 2022, to have options we can deliberate on that would effect the change that I've requested of having some taxicabs available adjacent to the baggage claim area. >> Alter: Thank you. So we have a a motion and direction.

[11:28:27 AM]

Shall we take a vote? Okay. All those in favor of item 23, the direction? Okay. That is unanimous on the dais and virtual dais. 10-0 with the mayor off, absent. Thank you, thank you, Ms. Yaft, to being here. Thank you, Mr. Spillar. Okay. Our next item up is item 28. I believe this is councilmember Ellis's item so if you would like to make a motion and when you have a second to introduce it and councilmember tovo can make other motion. >> Ellis: I make a motion to pass item 28. >> Alter: Do we have a second? Councilmember Kelly seconds that. Councilmember Ellis, did you want to address the -- council member vela, did you want to address the item? >> Vela: I'm sorry, this is item 28, the zoning amendments? >> Alter: Yes. >> Vela: With regard to the projects. >> Ellis: Larn projects,

[11:29:30 AM]

yes. >> Vela: And that was pulled for consent? >> Alter: >> Alter: Yes. Councilmember tovo, I'm just letting councilmember Ellis make the motion so we have a motion on the floor. >> Vela: I do have the amendments. I have a few questions. >> Alter: We'll let councilmember tovo lay out her amendments and then we'll take questions on the amendments. >> Ellis: I can give a brief overview to lay this out as we discuss amendments or other comments that people want to make. This is one that we worked on very closely with the corridor program so this was written in relation to voter approved bond for transportation projects and trying to make sure that the code as exists is not an impediment to voting approved processes. Public burglars, public right-of-way and trying to clean up some of the language so there's no conflicts where zoning applies to land use and developments and housing and things of that nature. But when you get into the public right-of-way and

[11:30:32 AM]

roads it got a little complicated because of some of the rules not necessarily being applicable or clear to understand for these linear projects. So we worked very closely with the corridor office to iron some of these out and this is good just getting the process started so there will be public input and time for us to review what changes would actually be made but this spells out some of the complications that were being found by folks who were trying to work and permit these projects that have been approved by the voters and have a contract with the votes with a committed timeline for making sure these projects are built. I just wanted to also daylight that in the discussion about project connect there's other conversations happening about amendments and ordinances and criteria manual instances that will be applicable for the project connect implementation sequence. But those are coming layer so this is not getting ahead of that process and this is not those amendments coming

[11:31:33 AM]

back to us. We know that conversation will play out over the next few months as that project is being developed. So there are some callouts to things that may overlap in this particular conversation, but the larger conversation about project connect is still going to be coming back to us in the appropriate timeline for those projects. >> Alter: Thank you. Councilmember tovo, would you like to lay out your amendment? >> Tovo: Sure. I hope this will be friendly to the sponsor. This just an attempt to clarify what I assume was the intention of applying these provisions to those properties who are not able to provide on-site water quality. So in the instance where they are, we would continue to ask for them to do so. And create opportunities for staff to do as you have to allow them to do in lieu of water quality treatments when they're not available -- when they don't have the appropriate amount

[11:32:34 AM]

of land or for other reasons or constrictions. [Inaudible]. >> Ellis: I think the microphone cut out there for a bit. >> Tovo: Sorry. Yeah, I'll just resummarize. I'm not sure when it cut out. >> Ellis: Now it definitely doesn't work. [Laughter]. >> Tovo: Sorry. It keeps sinking in and I think that's part of the problem. I raised it a little bit. Too high there. Yeah. So the intention here is to make sure that when projects do have the ability to provide on-site water quality that they do, but to clarify, yeah, just to clarify that. Does that help? Which I assume was part of your intention to make sure that the projects that would have not enough land or other kinds of restrictions that would make it really challenging or time assuming or cost prohibitive to provide those on-site water

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quality treatment do not have an obligation to do so, and so creating a space for staff to work with those applicants to do in lieu payments. But for those projects that -- for those areas where on-site is a possibility that they would go ahead and do on-site. And christmasing this that we developed, an amendment that we developed in consultation with our watershed protection staff. >> Ellis: Very much appreciate that. I might invite director Trimble to come up. I see him in the audience. I understand that intent. It may be a conversation that whether it happens today or when the amendments come back that might be a more appropriate time but I don't see these as unfriendly. I want to make sure we're having that conversation at the appropriate time. Can you speak to that? >> Yes. Thank you, councilmember Ellis. Mike Trimble, director of the corridor program office. Yes, it's acceptable. We've had some conversations too with watershed and we understand how that process would work. In the case similar to other areas where fee-in-lieu does apply. So I think that's acceptable

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to us. >> Ellis: Okay. That sounds good to me. >> Alter: Council member vela, did you still have questions? >> Vela: Mr. Trimble, what on-site water quality members would be provided? What exactly are we referring to with this amendment? >> Yeah. So right now the amendment and really the intent of the code amendments is to basically code right now and the intent of code right now to address environmental water quality to roadway improvements. So when we're talking about creating whether it's detention ponds or other facilities, right now with long linear projects in the right-of-way, especially given the retro fits we're going on existing corridors, sometimes finding that space to do those types of water quality treatments are hard to find. So what we're trying to find is ways to meet the intent

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of code, but translate that to our roadway projects that are wrong, linear, sometimes across multiple watersheds and sometimes being retrofitted into existing corridors where there's already a lot of

impervious cover. And we're trying to translate that and give an option and path forward to resolve that. >> Vela: And just to be clear, the areas we're talking about would be largely roadways, your north Lamar, your east Riverside, that's the type of areas that we're referring to with the broader item, is that correct? >> That's correct. This is in the public right-of-way. >> Vela: And in the amendment there's other solutions is referred to. If other solutions have been exhausted. What other solutions are we referring to in that amendment? >> Typically as part of a project process already, what we will do in trying to meet code, we'll work with our engineers and our design teams to work through potential solutions to

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address water quality mitigation. That could be a couple different options, but again it always depends on the specific corridor, context, how much space is available, all of what's upon right now in that area. So it could be a couple of different things and so we just kind of worked through that, iterate through that and come to some type of solution. I think what this allows us to do is work through that, but also if we're not able to work out a feasible solution then to have an option to do that fee-in-lieu. >> Vela: Is there any estimate of the added cost that councilmember tovo councilmember tovo's amendment would bring or the added time frame? Again, my concern being that I understand the environmental considerations, obviously they're paramount, but this is probably the most environmentally friendly project that the city of Austin has done. You have to go back to really save save era to I think find a project of this magnitude with this amount of environmental benefit in terms of the carbon

[11:37:39 AM]

emission, in terms of the particulate matter that will be off the streets. So I don't want to delay this project. Any added costs, any delays we bring to this project is going to hurt the environment. I don't know want to penny wise and pound foolish with regard to the construction and development of project connect. >> Council member, these will actually help in time and cost because time is money when it comes to the capital projects. So what this actually allows us to do is to have a path forward on how to meet the intent of current code. Isn't a path to do so. So what we're having to do right now is work through iteration after iteration of potential solutions even when it's very challenging and it's very difficult to find a path forward and ultimately we seek a waiver to code. So that's part of the existing process and again, the departments have been work in working with us on this, but I think at the end of the day this will actually save us time on project, save us time on candy actually save us

[11:38:40 AM]

money. >> Vela: Thank you. >> Pool: Thanks. I wanted to thank my colleague councilmember Ellis for bringing this item. I think it's going to be really helpful. And I'm going to run through three little quick questions that I think we'll be confirmed by the sponsor and check with Mr. Trimble, if you will hang on there. I have received some messages of concern from my constituents so I wanted to confirm that the resolution is only related to the public property and the public right-of-way, not private property. >> That's correct. >> Pool: And this item is different in it relates in to how water quality and impervious cover are worked with when the mobility projects are worked with specifically through these public passed bonds? >> That's right, this is specifically to address this particular challenge. >> Pool: Which is another reason why I really

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appreciate councilmember Ellis bringing this item. And the last one is none of this relates to the acquisition of right-of-way. >> No. This has to do with us actually kind of mitigating and trying to meet the intent of code right now within the right-of-way given the constraints of existing right-of-way. >> Right. The right-of-way that the city already owns. Correct. That's really great. I think this will serve to clarify for any constituents who may be listening in and were concerned when they saw a land development code chapter 25. So thank you so much again, councilmember Ellis for bringing this and Mr. Trimble for answering the questions. >> Alter: Any other questions or comments? If not, we'll take a vote on item 28 with councilmember tovo's amendment. >> Vela: Mayor pro tem, may I make an amendment to the amendment? May I offer an amendment to the amendment? >> Alter: Sure. I want to make sure we actually -- did you accept that as friendly so we can have a motion that's in

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there? >> Yes. >> Alter: So item 28 was we had a motion and a second and councilmember tovo made an amendment that was accepted as friendly with no objection. Council member vela will, we'll now entertain a motion for amendment. >> Vela: With regard to the amendment that was added, if other solutions have been exhausted, I would like to add other feasible. I would like to put feasible solutions in that amendment that councilmember tovo offered. >> Tovo: That's totally fine with me. Absolutely we only want feasible solutions considered. That's a great clarification. >> Alter: Okay. So we now have item 28 as proposed with councilmember tovo's amendment adding the word feasible before solutions at council member vela suggested accepted as friendly. Councilmember harper-madison, you had said earlier you wanted to speak

[11:41:44 AM]

on this item? Did you still want to do that? >> Harper-madison: My I apologies, it wasn't this item, it was the taxi item. >> Alter: Gotcha. My confusion. We will now take a vote. Those in favor of item 28 as amended? That is all 10 -- nine of us with councilmember Renteria off the dais and mayor Adler absent. Thank you very much. It is 11:42. Councilmember tovo, shall we take up item 61? Councilmember tovo passed out on the dais version 2. I will let you make your motion. It's a little ironic that you pulled all the items and are having the problems today. We'll let you make your motion and introduce the

[11:42:44 AM]

item. >> Tovo: [Inaudible]. This is a little awkward because I have some points I need to work over here. Can I pull yours out a bit if I promise not to pull it out entirely? Okay. So thank you. This is part 2 of the safer sixth street resolution. We passed safer sixth street resolution part 1 this summer in the wake of the tragic shootings that took place on sixth street. I don't need to tell this group gathered that sixth street has experienced an

[11:43:48 AM]

increase in -- it's one of those days. I think I'm breaking all the technology. Thank you. Sixth street has experienced an increase in gun violence. It's of great concern, of grave concern, and I appreciate all of the stakeholders who have come forward to work on what solutions we can look to. And as a point of background, in the days after the shootings in June I was made aware of a Facebook post on Facebook, I was made aware of several studies that had been done in the preceding years that never came to council. These were -- I think they were both done by outside groups, but some in consultation with city staff but they had developed a body of recommendations that were never discussed at council and never came forward to council so we never took action on them. So some of the recommendations that are now moving forward are some contained in the consultant reports. I want to be very clear. This is a very complicated problem. It is of grave concern as I

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mentioned. We all want to see sixth street as in every area of our city be safe, be accommodating, be the vital wonderful place that has been for decades and we want people to feel comfortable going down there, whether they're going down there with their families or going down there to eat or going down to go to one of the bars along sixth street. And it's going to take many efforts. Chemotherapy's office is working to -- mayor pro tem alter's office is working on the violence of guns in our community and that's got to be a primary strategy. We are excited about the cadets that have just graduated and joining the force and I look forward to seeing the additional cadets that are going to be starting here soon in

March joining the force. We need to make sure that we have a strong public safety presence in our downtown and in other areas across the city, but there are other strategies that can be

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helpful. I'm going into detail on that because I've heard a few comments this week about the problem is not going to be solved through the measures that are in this resolution. No, and it's not intended to be the one and only solutions because we need all these strategies and we need to absolutely invest in and promote and continue to strengthen programs that are reduce the prevalence of guns in our community. That is certainly my number one goal. So with all that I want to point out the changes that I've been making that I've made in the draft that you got this morning. These incorporate some suggestions for mayor Adler in a few specific ways that I can cover if anyone is interested. It's made clear in the gun storage that we currently have a gun storage policy for individuals who have evacuated to our city and might be staying in one of the shelters. There is a safe gun storage practice. There is not a safe gun

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storage practice for individuals who we might be housing in hotels. And several years ago when we had housed some evacuees, in the evening they went to sixth street, engaged in a gun fight and in the crossfire killed a woman who is experiencing homelessness who is in the area of sixth street. I believe and she was very close to our very newly at that point installed public restrooms. And she was caught in that gunfire and that is a very preventable death on multiple levels, but I want to be sure that we close that gap in our gun storage requirements for individuals that we're housing and through our city whether they're staying in hotels or shelter. There's also some additional language that incorporated some suggestions from economic development department, some additional suggestions from the downtown Austin alliance. I can cover any other changes. But in the mean, this moves forward some of the recommendations that came forward to us in the second

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phase from our city staff. Thank you to Brian block who is heading up that work that our environmental department team is doing. It includes the police department and the fire department and ems and transportation, public works, others. They're doing a great job of talking to stakeholders and property owners in that area about how we can through all of these different ways really improve the safety. And it advances some important measures. We have upgraded the latin in that area. The next step is to identify the need for additional lighting and to continue the work that staff is doing in working with private property owners on how they can improve lighting in some of the areas where city lighting can't

help. So alleys, buildings, things of that sort. The Houston mayor recently announced an initiative to do a couple of things to reduce crime in Houston. And one of them includes taking legal action against establishments where there are repeated actions of

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repeated violent incidents and I think we should do the same. This asks our manager to come back to us in very short order with some legal options we can take against the establishments where we're seeing acts of repeated violence. It introduces an -- and entertainment license. This will come back to us for final decision, but it would apply to those establishments, those places of assembly in this area that are open after 12:00. And it would require them to have a written safety plan, a communications protocol and some level of staff training for those who work in those establishments. And then there are some other things, updating us on the progress of setting up that ems staging area that we know we need, providing information so that we can make a good decision about whether or not to consider reinstituting a gun buy back program and then some other kinds of placemaking things, seeing what we can do to incentivize the creation of kitchens, which would allow and encourage a more diverse use of uses along sixth street. And then partnering with our downtown Austin alliance

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foundation on someful really exciting ideas that we've had and those in community about how we create more reasons for people to go down to sixth street, which again I think helps us diversify the uses. Farmers markets, flea markets. I went to an amazing yodeling contest downtown probably a decade and a half going ago in one of the parking lots along sixth street. It was one of the most fun events I can remember experiencing in downtown Austin. It was crowded, it was fun. There's a range of fun activities that we can introduce, art, benches, seating for some of the restaurants down there that can help interrupt, disrupt some of the other activities that we really want to discourage. So I'll leave there. Again, this is on also not the last work that we're doing on it. As I mentioned I think on Tuesday there was a large section about alleys. There's been a lot of work and thinking about alleys that my office has engaged with over the years with

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others. I removed it from this. It was just a little too much. There are some equivalencies with west campus there and the work we've been trying to do with lighting. That is coming forward as a different resolution. Those are pieces we siphoned off to keep the focus today on these recommendations for safer sixth street. I'm happy to answer any questions. >> Alter: Thank you. So councilmember tovo moves approval of item 61 and I will second that. Councilmember Kelly, did you have a comment? >>

Kelly: I did. Growing up in Austin I've seen sixth street not be the best it can be. And I wanted to thank councilmember tovo for her thoughtfulness in really putting this together because I know that it's taken awhile to get to this place. And I can see in your thoughtfulness of this resolution the future vision

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that you have and I really appreciate that. I also wanted to thank you for my recommendation to include a plan to prioritize the prevention of underage drinking. We know it's happening down there. We don't have data to support it, but we do need to address that. So I'm thankful that you put that there at my request. Thank you for such a thoughtful resolution. >> Alter: Any other thoughts or comments? I wanted to also thank councilmember tovo and her staff for working so hard on this initiative. I think it's a really important -- focusings in on our entertainment district and we have clearly some work to do. We look at what we learned in the Kroll report on use of force and its use in that area, etcetera. We need to be making these kinds of investments. That being said I do want to underscore that our violence

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prevention efforts go well beyond sixth street and particularly our ability to make sure that guns are not the only way that people have to resolve disputes or address trauma is really, really important as a step forward, continuing steps of investments that we're making as a community led by our office of violence prevention in particular, but approval of item of us have a role in making gun violence absolutely a priority. Councilmember Renteria. >> Renteria: Thank you, chair. I hope that our businesses on sixth street really takes advantage of this program. I myself won't go down sixth street anymore, and the more these incidents that keeps happening them it's going to be reported nationwide so you're going to get a reputation of being an

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unsafe area to attend by tourists. So I hope it doesn't get there. I want that thank tovo for bringing this up because we really need your help so that we can take volume of this situation down there. Thank you. >> Alter: Thank you. Any other comments? Seeing none, we will take a vote. All those in favor? Okay. So we have nine of us on the dais with councilmember kitchen off, and mayor Adler absent. 9 in favor. Thank you. So we are at 11:54. Is there any other business that we can take up before public communications? That I'm missing? Okay. So we will stand in recess for five minutes until 12:00 where we will take up public

[11:55:01 AM]

communications. Please be back here at 12:00 so we can move through that quickly. And then we will do zoning at 2:00. Thank you.

[12:01:13 PM]

. >> It is 12:01 on March 3rd it's now time for public communication. Clerk, are you calling the speakers or am I? Council member kitchen? >> Kitchen: Could I show myself as voting for item 61? I was office the dais for that. Can we do that now? >> We have a motion to reconsider -- >> Kitchen: Do we have to reconsider? >> I'll second that >> Tovo: We have to wait for the rest of our colleagues and we can reconsider. How about that? >> Let's wait for the others and if they don't come back, we can take it up for rezoning.

[12:02:14 PM]

Clerk, go ahead. >> In person we have Rubin Clemente. >> I've been here too many times unfortunately. >> Can we just make sure the microphone is working? >> I'm still being harassed by the crime unit by APD in which I have done basically everything. I'm in my sixth location and I'm moving to get away from the harassment, plus criminal acts. In the place I'm staying now since July 15th of last year I'm being constant harassed. I'm communicated about this with a letter to the chief.

[12:03:17 PM]

The city imaginer saw me up there both days when he was interim police chief as well as the assistant city manager as well. I don't know what to do. I don't think this crime unit of the police are supposed to be harassing, threatening, and assaulting. And I record this. Just like that officer -- what I told him -- I'm recording you. I'm going to quote his words: "I don't care," unquote. You know, there's something wrong here. And I just found out I'm going to be a great grandfather -- a great grandfather going to be harassed by a certain unit of APD. I'm a few years of accomplishing 20 years of harassment. If I'm committing a crime, investigate me but don't threaten me. Don't assault me. You know? Even though I have to admit,

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because of this I didn't go to police oversight, even though they informed me there's really not too much they can do. I took it -- the municipal course, in which they informed me that the only way is to identify that person. You really think the police is going to give me that identification, me knowing an undercover police officer cannot only -- can admit they're the police but you can't even state it. And this is the reason why I believe in my heart that they're like criminals. And, yes, I went after their commander and two of their three lieutenants to police oversight, even though there was another one, but he retired. So I'm a target. And I'm tired. You know? And I record everything. I do. That's what the chief told me to do and what the attorney told me to do.

[12:05:19 PM]

They told me I can't record undercover police officers, and it needs to stop. You know? Greg Casar didn't do anything. Talk to chief Chicon. He knows who I am. He knows my name. I'm tired. >> Thank you. Perhaps you can find a new appropriate next step for him with your staff? Thank you. Next speaker. >> Barbara fatante. >> So hi. I live in council district eight. I'm a member of 350 Austin. It's probably obvious. I've spoken here before.

[12:06:20 PM]

I'm the next time I come to speak is when you're voting on a resolution to fund independent comprehensive tending. We're asking -- comp rehencing testing. The poisons of Mercury, arsenic are in the water of the people. We're asking you to test with an independent contractor to determine the level of contamination. We need volunteers in the county that allow us to test the blood and blood of their children. The testing is of the children is so important because children absorb lead four times faster than adults. These poisons don't show up like a gunshot wound. They eat away at people slowly as levels of contamination climb. The city of Austin paying for this independent testing is the key to showing the true levels

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of contamination. The tests will help us move lcra perhaps to start transition to putting solar panels on the land. As we start solar we can begin reducing coal. We would like the city to guarantee displaced works comparable jobs. Starting the clean up are part of the overall plans. We're not asking you to take our word or the word of lcra or the word of Austin energy or the word of the EPA. We're asking for comprehensive testing. You should be clear every coal facility has caused cancer, birth defects and lead poisoning. You can check in Tennessee, North Carolina. The citizens of Austin -- we're not being poisoned by the coal

[12:08:26 PM]

plant. Because children in another community are being poisoned your responsibilities do not end. You still own one-third. The arguments that Austin energy uses that lcra manages the plant or that the government agency shows there's no problem or you're forbidden to act are all false. You have a responsibility to act and we're asking you to please take this action. We need you to act. You can no longer hide behind lcra or Austin energy. This is your responsibility. Stop running from it and begin the process of testing, clean-up and transitioning to solar. Thank you. >> Thank you. >> Did I do something

[12:09:27 PM]

>> No. >> Danny fatante noticed our office that he's canceling. >> Thank you. >> I'm David Thomasson, a professor of St. Ed's university. We launched with civics lab -- it's an avenue for students to apply the research we're doing on campus to solving and helping to solve public policy problems in Austin and throughout the state. The civics lab produces a pod cast that interviews policy makers like yourselves and civic leaders on important topics -- politics and social

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issues. We're coming before you today as you are in a fight against lack of healthy food in our community. Council member Fuentes, you were on the news last night with our group. We appreciate your comments. We met with several of your staff dealing with this. We're coming with a few solutions that I would propose that the students put together that really relate to, as many of you have already said, public policy is a complex area. There's not one solution. You have to have multiple ways of looking at something. We're looking at the issue of healthy food and healthy food deserts and the question of access to healthy foods. These solutions are related to how can we improve access. We think there are three really important ways that we can tie public transportation and bus

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routes to areas outside of food desserts. The first is recently cap metro create add new led screen pilot program where they put outs on the screens. We think that we can do something to tie those screens to the stations when they stop. We can have something that shows on the screen in real time that this is a healthy food stop at this destination. And that when the announcement says, you know, something like the St. Ed's station, it can say a healthy food stop. We think this is low cost, if any cost. I don't know if

there's anything in public policy that doesn't eventually cost something. We think this is a low-cost thing. We think there should be maps on city buses that can show where healthy locations are en routes and we think the bus

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stops themselves. There are places where we can put some real-time information for people that are just looking for places to find healthy food outlets. You know, the data here is very disturbing. You know the data. But the data are very disturbing for our county. Travis county is just an average place for healthy food but we think we can do more than average. So we really look forward to working with you and improving -- helping us with you. We'd like to share data with you throughout this process, but thank you so much for the opportunity to do this. Thank you. >> Alter: Mayor pro tem? Council member Fuentes first. >> Thank you for bringing this forward. It's good to see our community come forward with solutions. Having information available to

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the community is needed, especially recognizing how we have families struggling with food security. I've talked to the vice chair about cap metro, who I think will share comments about cap metro. >> Alter: Council member renteria. >> Renteria: Thank you for coming by and addressing this -- and your students. I do support that at cap metro, as being a trustee. I want to work with your class on this. You can contact my staff. We have done some changes in our routes that we actually -- we have a senior center there and we have a bus that goes there and takes them to fiesta and HEB so we can provide those services. I would love to work with your students -- since you have been working really hard on that -- and I would like to so we can

[12:14:36 PM]

implement it at capital metro to make sure the projects get back and having a wife that's a graduate from Saint Ed St. -- from St. Edward's? >> Absolutely. >> Kitchen: Thank you so much. Council member renteria and cap metro -- I'll be happy to work with you. Three of us are on the capital metro board as you may be aware. I'm the vice chair and council member renteria and council member pool are on it. Half the activities cannot be done by city council. They have to be done by capital metro board but we can in tandem with city council because there are activities you're suggesting would be council activities. Council member renteria, if you want to take the lead we'll work with you on the cap metro side. Council member Fuentes would be interested, I know, as would others from the city side.

[12:15:40 PM]

Thank you for bringing this specific and well thought out idea and thank you to the students also. >> Yeah. That's the students. Thank you. >> Tovo: Thank you. I know you had an opportunity to meet with senior policy advisor on my staff. She was able to meet with some of the students. I appreciate the ideas. As council member kitchen mentioned many of these fall within cap metro but I look forward with collaborating with your students. We will loop you into the food system planning work that I had initiated along with my colleagues. >> Thank you so much >> Tovo: Thank you for the brainstorming and the continued collaboration. >> Absolutely. >> Alter: So I think you struck a nerve and here is council member Kelly >> Kelly: I want to thank you you and your students for coming today talking about something that has an important impact on the community.

[12:16:40 PM]

I appreciate the work on this. As someone who is a policy maker I know it takes time to get this type of thing done. I would like it if you would reach out to my office. >> We appreciate all the work you do. Thank you very much. >> Tovo: Thank you very much for coming down. >> Thank you >> Tovo: Appreciate it. >> Traney D. Hues? >> Mr. Hughes, are you here? Seeing he's not here, does that complete our public communication? >> We have one remote speaker. >> Alter: One remote speaker? >> Francis Acuna?

[12:17:43 PM]

Francis Acuna, please speak. We will call the speaker. >> Alter: I'm sorry. Did you say you were calling her back or -- okay.

[12:19:07 PM]

>> We are still calling her. >> Alter: I'm sorry. I'm having trouble hearing you. >> We're calling her right now >> Alter: Okay. >> Hello? Hello? >> Proceed. >> You can hear me? >> Yes. Proceed. >> Okay. My name is Francis Acuna. I'm a resident of dael springs. I'm here to speak about flood insurance. As many of you know, our neighborhood gets flooded with three inches of rain. We don't get flooded with creek water. We get flooded by localized flooding caused by inadequate storm water infrastructure and the poor engineering done in pleasant valley road. After creek bend flood wall was built our neighborhood received a letter that we weren't

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required to have flood insurance but with continued floods it is recommended to have flood insurance because we flood just about every other year. The national flood insurance program developed a tool called risk rating 2.0 which is meant to provide an equitable national flood insurance premium for residents. I'm here to say that this tool only helps about 23 per cent of residents with flood insurance. As of last year I was paying a one lump sum of 450 for flood insurance, but since I let it lapse due to family emergency, my insurance increase to a thousand 983. That's using the risk rating 2.0. In July of 2020 council member

[12:21:08 PM]

Fuentes received a call from a congressman about this. I don't know if there was a follow up from her office or not. I have tried since 2020 to get support and I barely -- today I had a productive conversation with our state representative's office. It's time to address the flood risk gaps residents have been facing for many years. We did not cause this flood issue. I'm asking the major and council members to support us by updating the city of Austin's federal legislative agenda, advocating for congress to pass the national flood insurance program reauthorization act of 2019, section 104 monthly installment of premiums. That's all I have. Thank you. >> Just want to thank you for joining us today and providing

[12:22:09 PM]

comments. As you know, for me it's been a big passion for me to advocate for affordable flood insurance, especially knowing there's not a lot of opportunities to have payment plans. You're right in that I issued a call to congressman dogett at the time to change options with insurance. I know his office has brought forward legislation to do that -- payment plan options instead of being a one-lump payment. That legislation has not had headway but it is something we have led on locally and I passed policy last fall regarding adding it to the legislative agenda and asking for staff to inform our community in doing extensive community outreach about the available flood insurance options. It is something we're committed to doing more work on and my

[12:23:09 PM]

team will follow up to continue the conversation. I want to thank you for joining us today. >> Thank you. >> Alter: Are there any other speakers? >> That concludes public communication >> Alter: It's 12:23. Colleagues, I believe we've finished all our work beyond zoning. We will recess and return promptly at 2:00 P.M. To take up zoning consent and speakers with that and we'll continue with the rest of the

speakers. Hold on one second. Can you wait one second? Harper-madison, are you there? Council member kitchen asked if we could reconsider -- do we have everyone? We could reconsider item 61 so that we could vote on that. Are there any objections to reconsidering? Do I need a motion? If there are no objections, all those in favor of item 61?

[12:24:11 PM]

That is 10 to 0, with the mayor off the dais. Thank you very much. We will -- so I hadn't recessed that when we took the vote officially because I hadn't said good-bye. We will turn at 2:00 o'clock after our recess to take up zoning. Thank you.

[2:02:34 PM]

>> Alter: It is March 3rd, 2022 at 2:02. We're going to reconvene the Austin city council meeting. We have a quorum on the dais with council members Fuentes, kitchen, myself, pool, and vela. Before we go into zoning it is my pleasure to invite all of you to join us in wishing Kay gaday a happy birthday. Kay has a big birthday this weekend. She's turning 25. [Laughter]. We want convey our best wishes. I am not going to be the one to sing. You want us to sing you happy birthday? Yes? Okay. All right. I'm going to turn my microphone

[2:03:35 PM]

off because you don't want to hear me. Maybe Ms. Harper-maddison --. [Singing "Happy birthday"] . [applause/cheers]. >> (Microphone not turned on). >>> There are few people that allow us to feel connected and part of a community and, Kay, you have done that for many, many years for our city and we are so appreciative and

[2:04:37 PM]

grateful for your public service. You create a community here in this chamber and you take such good care of all of us. Enjoy your birthday. I have some flowers I'll bring over to you, but we can't thank you enough for everything you do for our city. >> Alter: We are not going to sing again but wish council member pool a birthday in advance and maybe we'll surprise her next time. >> Pool: I'm just really grateful I get to share the same birthday with Ms. Kay. She's younger than me, though. >> Alter: If you guys really want to sing another happy birthday, you can. Now we're going to turn to our

[2:05:39 PM]

real work here with zoning agenda, and I believe that we have seven speakers signed up to speak in person, and we have six people signed up to speak remotely, and we have six applicants available to speak. Each speaker who decides to speak once we go through the consent will have three minutes. If the applicants have a presentation to give they may have up to five minutes. I'm not sure what will be necessary in that regard. Mr. Restoven, are you here? >> Yes. I would go ahead and read the postponements. I think the majority of the speakers are here for something that will be postponement.

[2:06:39 PM]

Right now item number 42, I have a postponement request by staff until April 21st. 44 I have postponement from adjoining property owners to March 24th. 46, postponement request. Item 48 I have a postponement request from the staff to April 21st. And finally -- sorry. Item 56, indefinite postponement request by the applicant. 63, request for postponement. None of those are contested >> Alter: Thank you. None of those are contested. Okay. Do you want to go through the rest of the consent agenda?

[2:07:40 PM]

>> I think we usually hear from the speakers first and then roll through the consent agenda after that >> Alter: All right. We can do that. >> Speaking in person, Leah bojo on items 43 and 44 >> Alter: She's an applicant and doesn't need to speak. Thank you. >> Susan Bens, items 49 and 50. >> Hello, everyone. I live at 1208 east second street. I'm four blocks away from the 1400 east fourth street -- not mare market. Golly gee. That's a coffee trader's

[2:08:40 PM]

building. I would like for you to please, please, please remember the tod was written by urban planners and there's a reason they set the base height at 40 feet. This applicant is asking for the base height to be moved to 65 feet. So there was a reason for the 40 feet. Please remember that. And think of us in the neighborhood. Thank you. >> Alter: Thank you. >> Kristen heeny. >> Hello, friends. I am the current land use committee chair for the east Cesar Chavez plan contact team. We need your help on this one. This one is different than the ones that have E cently come before you. As Ms. Bens just described this

[2:09:42 PM]

project is in an area south of fifth street that is done for a base building height of 40 feet. Ms. Bens misspoke. The applicant is asking for a base building height to 85 feet. That's a 213 per cent increase. This zone is deliberately designed to step down towards our single family residential neighborhood. Now, the applicant does have the option to get a density bonus up to 60 feet and we think that's reasonable. But the additional 25 feet is what we really need help. The tod has on the books a density bonus called the super density bonus that allows for projects that want to build up to 85 feet, and that privilege comes with additional requirements for affordable housing. That privilege comes with the

[2:10:46 PM]

request -- the stipulation that 75 per cent of the square footage is affordable housing, and there is no fee in lieu option. So I'm asking you all for your help to help us figure out what is that worth. Is it worth \$6 a square foot, which is what they're offering? In this case we would be losing 127,000 square feet of potential affordable housing. Is that worth half a million dollars? I don't know. I'm not smart enough to figure that out. There are lots of things that go into these decisions, and we have really been trying hard to figure this out. This project is specifically different because it is zoned for 40 feet base height and they're asking for 85 feet and it's going towards our single family residents which are concerned about that. It's going to set a precedent. If we let one single lot in a zone be rezoned to 85 feet as a

[2:11:47 PM]

base height, what stops that -- anybody else from doing that, especially in a zone that is designed deliberately to step down? There may be a compromise somewhere on the height. I understand there are certain heights that help with floor to floor in all that. We're willing to keep that discussion going but it's worth a lot more than what's being offered at this date. We would love for you to help us figure out this problem because we can't do it by ourselves. Thank you. >> Alter: Council member pool? >> Pool: Could I get reminded which item this is? Which item is this? I missed that at the beginning. 49 >> Alter: 49 and 50 and if I followed it correctly, Jerry didn't list it off as a postponement but -- >> Renteria: It's my district. I live? >> Turn your Mike on >> Renteria: Thought I had it

[2:12:47 PM]

on. Yes, colleagues. I'm -- also live in Cesar Chavez contact team -- I was one of the first who developed our neighborhood contact team, and what -- I'm also asking for a postponement -- not a postponement but a first reading on it and -- because I need to find out more because I'm very concerned that we're not getting the affordability out of this development, and I -- unfortunately my representative on the contact team stepped down. She did not -- she just couldn't work with the present contact team, so I didn't get to be involved in what was being discussed, but I need some more information. So -- but I think that we can get a lot more out of it -- affordability part of it. We have a lot of dedicated --

[2:13:48 PM]

you know, to the housing trust fund but I think the community benefit needs to be changed, and I want more time to discuss it. So I'm going to be -- that's why I'm approving it on the first reading so we can start negotiating to make sure we get the affordability out of there that I want to see and the community wants to see. >> Alter: Thank you, Mr. Renterria. At the appropriate time you can make that motion. Are there any other speakers? >> Sarah zimmerrepa. >> I live in the neighborhood and I would like to basically say what, you know -- support what Kristen is saying. We need your help. Under the current code and your

[2:14:48 PM]

proposed code next, it was supposed to -- sorry. I've had pneumonia -- follow the tod. And right now for some reason we continue to add variances on that tod. The truth of the matter is this project belongs somewhere on south Lamar. That is where the zoning is appropriate. Even there they would require a density bonus. Please reconsider this height in this neighborhood to one block away from single family homes. Thank you. >> Alter: Thank you. >> Items 49 and 50 -- robin stallings. >> Thank you. May I take my mask off while I speak? Thank you. My name is robin stallings and executive director of bike Texas, nonprofit that works at the local, state, and federal

[2:15:51 PM]

level on bicycle access, safety and education. I live at 2208 Santa Rosa street. We like this project overall. Without speaking to the horse trading it looks like there might be room for more back and forth on that. But this project sits right next to a trail and they have done a fantastic job of preserving a lot of the ground floor space that will make for great living. Other projects might be a little shorter but they're like a straight wall. The potential is this a really living space. I like what they've done with the design. I feel like -- we have a property that's about two miles away on the same trail, and I hope there's several other developers that are in the works doing stuff along the trail, and I hope that they can learn from this. And if it's a precedent, it's a

[2:16:52 PM]

precedent to make for a great, you know, human scale at the trail level and just make it -- I think it will improve our quality of life. I'm all for affordable housing. I live in the neighborhood. We're in an urban neighborhood and we're getting a lot of height but we also get the proximity and benefits of living central. With that, thank you very much for the chance to speak. I appreciate it. >> Alter: Thank you, sir. >> Item 51, Michelle Lynch. >> Alter: I think she's the applicant. I don't know if she needs to speak. >> Items 52, 53, and 57. Mario Cantu.

[2:17:57 PM]

>> Council, is this on two items or two separate -- I heard you say 52, 53, and 57. >> Alter: I don't know which item she called specifically for you. If you could speak a little more in the microphone so we can hear you better -- hear you better, we would appreciate it. >> 52, 53, 57. >> It's two different sites, is my understanding. Is one of them going to be postponed today? >> Alter: 52 and 53 -- we have -- they haven't presented to us what is going to be, but I believe they're going to be put forward for a vote and 57 as well. >> My understanding is that 52, 53, which should be -- is that what you're showing on your items? >> Alter: I'm sorry. >> If I could interject real quick. We have items 52 and 53 slated

[2:18:57 PM]

for postponement to March 24th. >> Alter: Okay. >> So I'm going to speak on 57. If it's not for sure that we're not going to have a postponement I need to speak on 52, 53. When are we going to find that out if there's going to be a postponement? >> Alter: You didn't read those two before when you went through it, I don't think. >> 52 and 53 and when we do consent I'll offer 52 and 53 for postponement and there's no objection. >> Alter: 52 and 53 will be postpone on consent unless someone up here objects. >> I just wanted to -- >> Alter: That's fine. >> Understood. Thank you. Item 57, if you could please bring up the powerpoint.

[2:19:58 PM]

Thank you for your service. If you take a look in the center of the aerial view you'll see some commercial bike lanes, bus stops, 30 feet, 300 feet, nice biking, good walking, mobility access is really nice. Next. This is a -- the site was proposed for 95 units. We were asking for so of the units to have affordability. We were looking at the 50 and 60 per cent mfi. Next. The vertical part, which is going to be the ground

level part as in our discussion with the applicant, they mentioned that the bottom part would have live/work units, seven to eight. Somewhere in that range. We're kind of concerned about that because the neighbors could not be able to walk to that location and get their hair done or have a taco, deli

[2:21:04 PM]

or something at the bottom. If they don't get the zoning they'll go to 47 units and the bike lanes and bus stop are 300 feet. Some of the considerations for the lighting as you saw in the aerial view, the back part is right up against the neighborhood. We need to take those into consideration about the lighting, et cetera. Next. Of course the only missing link is the affordability. The applicant has -- they're looking at the affordability unlocked and that was one avenue they might want to take into doing better affordability with this particular parcel. Again, the affordability part is -- has always been our concern. I think I've been up here many times when I've talked about affordability and how important

[2:22:05 PM]

it is. I think if it comes to the day where we're not talking about it, I think that's going to be a big, red flag. In this case, the only red flag for us was the affordability and making sure that we do have that for district two and we did consult with council member Fuentes in regards to this and the applicant as well. Thank you. >> Alter: Thank you. Sorry about the confusion. >> Items 52 and 53, Elizabeth McFarland. Items 52 and 53, Clayton

[2:23:13 PM]

stroll. Item 53, Paul shepherd. That concludes in-person speakers. >> Alter: Thank you. >> Mayor pro tem, we have a call-in >> Alter: Okay. >> Kristen, please proceed. >> Yes. Yes. Can you hear me? >> Yes. Go ahead. >> Hello? Wonderful. Thank you. I am the vice chair of the east se sar Chavez plan contact team. I'm here to state my opposition to the rezoning request in 49 and 50 and I urge council to oppose as well. This case is distinct from others that have come before. The lot in question has a base zoning of 40 feet, not 60 feet. Increase to the requested 45

[2:24:15 PM]

feet represents a 215 per cent in height increase. While 85 feet may have become the norm in some cases these have only be approved in areas base zoned for 60 feet, not 40 feet as this sight. Fair market

and habitat got 85 feet. It's adjacent to I-35, not the single family portion of the neighborhood. Habitat was granted a density bonus due to deeply affordable housing in the development, not a fee in lieu. For the deregulating plan an 85 foot building is too tall south of fifth street. Many community members are understandably concerned about the height increase and the related domino effect. To conform with the existing neighborhood scale we need to step down height at this location as the plan calls for. Please honor the regulating

[2:25:16 PM]

plan and respect our single family neighbors. The contact team -- we need affordable housing, as I stated last time I was here, to ensure demographic diversity in our community. The project does not offer affordable housing to the community or d-3. The design features more so benefit the developer and tenants than the broader community. Ultimately granting the developer excessive, additional height without providing affordable housing isn't acceptable as is rewriting the zoning lot by lot -- that's not beneficial to us either. We ask that council hit the pause button until the contact team in cooperation with the city and area stakeholders can update the regulating plan to

[2:26:18 PM]

consist it's consistent and equitable and that it realizes the city's affordable housing goals as in imagine Austin. Thank you very much for your time today. >> That concludes all speakers. >> Alter: Thank you. Mr. Restoven do you want to present the consent agenda? >> Sure. We have postponement request on this until April 21st. Number 43 is C 14-2021. I can offer this for consent reading on first reading only. Maximum height of a building is 60 feet. If it's above 40 feet only include residential uses.

[2:27:20 PM]

Nonresidential uses may not exceed. Item 44, c14. This is postponement request by adjacent property owners. No opposition to that request. Number 45, c14. I can offer for consent. Item 46, 2020-0005.01. This is by the neighborhood and applicant to April 21st. Related case, 47, kr14-2020-0029. Postponement request by the applicant and neighborhood. 48, this is a postponement request by staff until April

[2:28:22 PM]

21st. Number 49 -- I can offer this for consent approval on first reading only. Item 50 is related zoning case, c-14, I can offer for consent on first reading only. 51, I can offer for consent approval on second reading. However, I have three additional conditions I would like to read in the record. One is on part 2b to say chapter 25.... Still apply to the property located along Lin view street.

[2:29:26 PM]

Finally, part 2d shall read open space and planting Zones will include planting beds with trees planted as permissible on the property along Glen view and Jefferson street. I can offer on second reading only. That's item number 51. 52 is npa-2021-0020.01. Applicant requested postponement to March 24th. Related case is item 53, c14-2021-0015. This is requested to Mr 24th. Item 54, I can offer for consent approval on all three readings. Number 55 is c14-2021-0195. I can offer for consent

[2:30:26 PM]

approval on first reading only. Item number 56 is c14-2019-0169 -- indefinite postponement request. Item number 58 is npa-2021-0016.03. I can offer for consent approval on second and third readings. Item 59, c14-2021-0124 I can offer for consent on second and third readings. Item 59 is postponement request by staff >> Alter: Items 42 through 59

[2:31:27 PM]

and item 63. You did not note any discussion items at this time. >> That is correct. I'd like to add on -- I believe on items number 49 and 50 -- I believe council member renterria is requesting those be brought back on March 24th. I'd like to confirm that's correct >> Alter: Thank you. Anyone want to speak to the consent agenda? Council member renterria? >> Renterria: Yes. On item -- let me see if I can get this right. On item 49 and 50, I'm -- also want to bring it back on the 24th with the understand thatting the team and developer will sit down and discuss and hopefully we can get to a resolution. If not we'll just postpone for another day but I would like to

[2:32:27 PM]

bring it back on the 24th to make sure we get -- if they don't happen, we'll have a discussion at that time. >> Alter: Thank you. Council member Kelly >> Kelly: Item 54 is a business. I know the owner of the property has had several issues getting a building replaced. The rezoning will help assist him in that

process. That business is a good asset in our community. I'm thankful to see that moving forward today. >> Alter: Thank you. Go ahead, council member tovo. >> Tovo: I want to speak to item 43 which we're passing on first reading here today. I know Donna Carter architect in Austin -- she has a letter in the back-up that raised concerns at planning commission

[2:33:28 PM]

that I would suggest we really attend to. Among them is the fact that as I understand it, this structure has received a demolition permit. I would ask the applicant if this passes on first reading to look at options for relocating it. That's never the best option but considering the applicant intends to move forward with demolition, I think it's a worthy second option. I would ask you to look at the possibilities that might exist there. Thank you. I'll leave it there. Thank you. >> Alter: Thank you. I wanted to speak briefly to item 51. This is the case on 35th street where the burger king is right now. This case is moving forward on second reading only today. I understand that the applicant has discussed but are willing to agree to with the neighbors related to tree planting and

[2:34:30 PM]

amplified noise. I don't believe it should take long for them to conclude those negotiations and the applicant has already provided their final terms, so I believe it's just really a matter of recording the agreement. I anticipate this item should remain on consent for final approval on our next council agenda. It will be second reading today but come back for third reading on March 24th. And then council member pool, recognize you. >> Pool: Thanks, mayor pro tem. I just wanted to support the comments that you're making and the motion for second reading only. I just want to say how much I appreciate the applicant working with the neighbors to find agreement on the conditions like the limits on the amplified sound and tree planting. I know the applicant has concluded negotiations. All we need to do now is have the agreement signed.

[2:35:31 PM]

So I look forward to supporting the case under those terms at our next meeting on third reading and today on second reading. Thanks for all the work everybody is putting into this. >> Alter: Council member tovo? >> Tovo: I meant to comment on that as well. I appreciate, mayor pro tem, your staff for working on this. My staff were involved in some of the meetings including up to today. Thank you for the applicant continuing conversations to work to improving the proposal before us >> Alter: Thank you very much. If there are no other comments on the consent agenda, we'll take a vote. All those in favor? 10 to 0 with mayor Adler off. I do not believe we have any other items, so it is a record 2:36 P.M. And I'm going to adjourn today's council

[2:36:32 PM]

meeting. Thank you.