

Austin City Council Work Session Transcript - 4/19/2022

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[9:11:36 AM]

>> Mayor Adler: We're going to call to order today's Austin city council work session. Today is Tuesday, April 19th, 2022. The time is 9:11. We are here at city hall. Everybody is on the dais. We have two of our colleagues that are remoting in, councilmember harper-madison, councilmember Renteria. Councilmember pool is not with us today. She's absent on the dais from a trip that was delayed because of covid. That gives us 10 folks with us today. Colleagues, we have several items that were pulled. My intent is to start with item 33 and handle that and then councilmember tovo has pulled an additional four

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items. At 10:30 wherever we are we're going to stop because we have experts and consultants that have come into town to talk to us about the meadows mental health policy institute matters, the health matters, so we'll take that. And then if we can get through all that stuff and then do that, then we'll have the briefing done and then I'll we'll have left is executive session that we may be able to overlap with lunch. We'll continue to do executive session remotely as we have people that are remote with us today and it's kind of awkward to have some people in executive session and some people not, but we need to start thinking about getting back to executive session. [Phone ringing]. Additionally, we need to weigh in with the clerk on whether we want to go back to the boards and commissions room for work

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session. As best I understand it from the clerk's perspective, you guys are ambivalent as to whether we're here or there, but you would like a decision made. Obviously we were in that space because it gets us closer together because the more inattentive you can see people -- intimate you can see people on the dais. And they're ready to move us back to that space. So I would have the clerk do that as the clerk is able to do that unless somebody wants to suggest or otherwise object or anything. If not, then why don't you migrate us back to that space as logistics allow you to do that. Ann and then Kathie. >> Kitchen: Mayor, just a reminder, I have a lunch engagement with constituents and council member Fuentes and I do. So we'll be out during the lunch period. >> Mayor Adler: Okay. We'll probably hold that

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then. Kathie? >> Tovo: Mayor, I'm just a little concerned -- I pulled four things that are probably not going to take too terribly long and if we don't get to them until after -- I don't know how long our first item is going to take. Just as a point of reference my four things are probably not going to be hugely long. >> Mayor Adler: My hope is we'll be able to take them all. All right. Let's start and let's begin with item number 33, which has been pulled by three folks and we have two members of council that have posted potential amendments. Councilmember Alter. >> Alter: Good morning. Thank you for recognizing me, Steve. This weekend three religions celebrated very important holidays and in light of the holiday weekend I chose not to weigh in on the message board, but I do want to

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share my thoughts with you this morning. Really appreciate the conversation that we're having. Last year while we waited for a decision on Acuna, we decided collectively as a council to move forward with land changes that were consensus driven or at least could garner support of nine of us. I continue to believe strongly that a consensus approach is the best way forward. Now that we have one of these proposals back for review, vnu two and some breathing space, given the trajectory of covid, I believe we have opportunity to build trust among ourselves and the community and forge a consensus that ties increased density on corridors with real gains in affordability. This morning I would like us to focus first on the appropriate process for moving forward with changes to vnu and vnu and/or compatibility and how to add density to our corridors tied to affordability. I do not believe that we can

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do the work that needs to be done on either item in the two days we have left until our meeting. We have an opportunity that if we take a little more time we can achieve something of significant magnitude as a council. I also do not believe one week's notice about compatibility being fully on the

table for vmu with a holiday weekend for three major religions in between represents the kind of conversation expected in Austin for a decision of this magnitude. I also think this is a discussion that really merits a full dais. I worry that rushing ahead this week will undermine trust in and between the council, thus I would recommend a postponement of item 33. The mayor and I have conferred on the process and have some ideas of how we might be able to move forward that I want to share with you and get some feedback on what you think about it. In our conversations we were

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hesitant to simply delegate this to the planning commission, said this really feels like work that we ourselves need to undertake. It seems that we have often had to have conversations that are rather an absolutist, like either/or, and in an effort to think if we can get outside of those boxes and really have some conversations, building off a foundation of good ideas that are out there, building off of work that has been previously done by the planning commission and all sorts of other groups, what I want to throw out there for us to consider is maybe we break up into some smaller groups of council members with a deliberate effort to have council members who are not normally voting on the same side of land use votes combined in those groups to have these conversations and tasked

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with coming back with options for all of us to consider. I think because there's so much work that has been done, if we focus and we sit down and have some of these smaller conversations we could have an initial get back together and throw out options at the may 17th work session and decide from there kind of what the appropriate timing would be. We have done a lot of this sort of either/or kind of stuff and I think that we really need to focus on what we agree on, which is adding density to the corridor and tying that to affordability. I think there are plenty of different ways that we could go about doing that. And I think in this way then we can build in a process for the community also to be involved, but I think that this may be a different way than we've approached this and one that I believe offers promise for us to

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arrive at some significant forward momentum for addressing a concern that was identified over and over again as consensus that we broadly want to address the problem. How we have disagreements, how has to be figured out, the details do matter, and concerns in different districts do need to be surfaced in different ways. So that was the idea that I wanted to throw out there and that the mayor and I had discussed, and I hope that we could consider thus postponing vmu indefinitely, but setting a path forward to have the conversations that we need to have about compatibility together. >> Mayor Adler: Just to jump on that real fast, mayor pro tem, thank you for your suggestions on this and for

visiting with me on what might be a really constructive path forward. I want to thank councilmember kitchen for

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the work in bringing up the vmu. I want to thank council member vela for bringing up compatibility because those two are so tied together in terms of what actually happens on the ground. It seems hard to have a conversation about one without having a conversation about the other. But I do agree with the mayor pro tem that even though there's been years talking about this, even though there's been a lot of work and a lot of proposals out, I don't think it's right for us to act this week. And I think that if we talk to each other and follow the process that the mayor pro tem set out I think we actually have a chance of doing something that advances this in a way that would be right. I think the community is now expecting leadership from us to do this. So on the posting I kind of laid out some questions that

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I thought would be good questions to answer, some of them here today and some of them over the ensuing weeks. But the schedule that the mayor pro tem laid out has us being able to take action in the next 30 to 60 days, has us coming back may 17th, potentially daylighting suggestions. I like the idea of people being able to break into -- being able to break into groups. I love the idea of bringing into groups that you don't ordinarily break into because we're trying to do something different here. And everybody in those groups could set up a community engagement processes or open up meetings or make it as involved as you feel would be appropriate or as the community would expect, but on the 18th then we can all get back together and say, okay, these are the ideas that have bubbled up from the group in terms of things that we might be able to proceed with agreement on. I think that's the goal. That would give us -- yes.

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Because I think we've done -- >> Tovo: Just to clarify as we're talking. This community engagement would happen within the next three weeks, we would design a process and do this community engagement and come back with proposals in three weeks? Is that what the suggestion is? >> Mayor Adler: Yeah. I think we're asking people to elevate and bring back ideas on the 17th. I think different people could do different kinds of community engagement and I don't know exactly what that would look like, but I don't think we're limiting people's ability to do that or necessarily requiring that it all be collective. Don't know. That's the kind of thing we should be talking about here on the dais because I don't think we've formulated that plan. But what is important to me is I want this to come back to the council within the 60 days so we can take action before we leave for summer break. >> Kitchen: So

mayor -- >> Mayor Adler: Let me finish and I'll come to you. The next thing that I think would be important to me is the conversation be about corridors and about increasing density on

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corridors. And I think that the conversation should include and be primarily on affordability, but allow for a broader conversation. And with those two things in mind I think we're in a place to be able to move forward and not take action today. Ann. >> Kitchen: Thank you, mayor. And I also want to thank everybody that's been involved with this. Thank you, mayor pro tem, for laying out a process that you and the mayor have talked about. Also want to thank council member vela for bringing up compatibility. We've had some conversations about the importance of addressing compatibility. I support and have talked about it's time to have the conversations with the members of our community, all of us with our community to have that community conversation. To vet what works. And I think we're all in

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agreement because we've talked about it it from time to time. We're all in agreement that we do have an opportunity to forge a consensus in conversation with the community. How can we best get affordability on corridors. I think we're agreeing on that. And how can we do it timely? So I think we're also agreeing that it's time to take action. So I think that -- I agree with what the mayor and mayor pro tem have said and I think others would probably agree that we need some time to vet. That one week's notice that we're now going to talk about compatibility isn't sufficient, but that's okay. We can take the time to have the conversation and to figure this out. As I brought forward with my colleagues and we all is supported this back in November as I brought the conversation forward around vmu, we talked about how important it would be to

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look at what's been a successful program and look at it and see what we could do to improve it. So I'm glad that we're having that conversation. I recognize that there's a number of things that can improve it. I'm ready to have that conversation about compatibility with the community. And so I'm looking forward to moving forward with that. I do want to say that I think what would be important to do today, and I'm going to ask law to answer some questions for us, is one of the things that's critical for us to understand, us and the community to understand in order to go through the process that's being suggested in a meaningful way, is we need to have a conversation and understand what our parameters are with regard to how we address some aspects of this. So mayor, you had laid out

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one question and I think the way you styled it is should vmu 2 be handled as a text amendment to the vmu zoning classification or as a newly created district. That question really ties back directly to the parameter that is set for us from the Acuna ruling. And so we need to understand and the public needs to understand what the parameters are that are set by that ruling. So I have a question for law today to talk about publicly and so I understand that law will be here and so I'd like to ask that question right now. So we can have that conversation and what that will do for all of us, it will help us understand what our parameters are so that as we're brainstorming and working with each other and working with the community we can understand how we need to set up this -- these amendments. And this goes back directly to the amendment that I had

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proposed that related to treating this more as a newly created district which just means that -- which goes to when and how notification and protest rights apply, which was one of the tenets behind the ruling. So I had proposed one way to do that. I am opening to talking about other ways to do that. But I think we have to understand the parameters. So I'd like to pose a question. I don't know if that will be -- who from our law department? Hello, thank you for being here with us. Here's the question I wanted to pose. I want to understand -- my understanding is that the Acuna ruling set parameters for the city related to notification and protest

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rights. So I want to understand what the court ruling says and how that impact any changes we're making with the ldc. This is the first one that's coming up in front of us so it's timely for us to understand that. And I want to understand the difference between -- the difference in how we handle notification and protest rights between treating changes as a text amendment or treating them as a newly created district. And if I haven't styled that question in the correct way, please help us understand how we should think about it. >> Trick Lange with the law department. I have a couple of slides if you could put them up, please.

[9:30:01 AM]

Actually, mine is the notice of protest rights. >> Please give me a minute to refree that presentation. This is the only one I see right now. >> Kitchen: So mayor, while they're doing that, I think you mentioned this on your message board post and I think for the public that may have missed it, my

understanding is that the city will not be appealing the case. >> Mayor Adler: I haven't heard any suggestion that the city would. >> Kitchen: Great. I thought you had written that on the message board. >> Mayor Adler: While we have this break and the attorneys are coming up, councilmember tovo, I think I poorly answered your question when you asked me a second ago.

[9:31:02 AM]

I wasn't mention to suggest that the only public engagement needed to happen in the next three weeks, but certainly wouldn't be precluded. There's a month after may 17th before we take a break to be able to fully engage the public on any of the suggestions that surface. I just -- I was thinking in terms of people being precluded from public engagement in the next three weeks, the answer is no, but we certainly can do that. >> Tovo: I think this bears further conversation. When there are conversations around land use our city staff actually help with that community engagement. I think in asking council members to conduct reasonable, authentic, sufficient community engagement around an issue that we know has been controversial within three weeks is completely undoable. >> Mayor Adler: That's why I was trying to correct it because I wasn't implying -- >> Tovo: Excuse me. I'm not sure several council members on could even align their schedules in that three week period,

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muchless -- >> Mayor Adler: Please don't present this as an obstacle. I started off by saying I misspoke. >> Tovo: Steve, you're speaking over me. I think that we need to talk about what a reasonable community engagement is like even if it's not within three weeks. And the level of staff support we'll have for that having participated in the vmu process initially, there was significant staff support and I think there needs to be. Just as there was with our ldc conversations. >> Mayor Adler: I agree with that 100%. Okay. Let's do this and we can come back to talk process and here from other people too. >> Can you take me to the top slide, please. Or the second slide. Next slide, please. >> So under the decision in Acuna the court is looking at state law.

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And what we are kind of moving forward with is the type of notice that's required. So that's one element and then there's the protest rights issue. And historically I think we thought of them sort of connected together, but under state law they actually act independent and they are independent of each other and separate. So that's how we have to I think kind of slowly start to retrain ourselves to think about them differently. Under state law the published newspaper notice is required for a property classification or even when there's not. So that would be a change to a property -- sorry, a zoning regulation or a zoning boundary. State law also requires an individual written notice when there is a change to the property

classification. And the classification as we typically think of is is the zoning strength. If you're changing from gr to cs that's going to be a property classification change for us typically.

[9:34:08 AM]

And then the next slide, please. Then there's protest rights. Basically the bottom line, anything we do when it comes to zoning there's a protest right. And it's a change to the zoning regulation, a change to a boundary or a change to a classification. And again that's our routine zoning cases that we see on a day-to-day basis. What is different, though, is the denominator for this situation for the protest rights. Next slide, please. So the denominator equals the area covered by the proposed change or the area within 200 feet of the area covered by the proposed change. And it really will depend on the nature and the scope of the proposed change. And I can show you some examples on the next slide, please. So for an individual rezoning case, owners of 20% of the total area of the

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property covered by the application can protest. Typically we don't see that in an average case because they've come to the city asking for the rezoning, but we could have that situation if we do a small area planning, if we do a neighborhood plan, also if we -- that comes up actually in historic cases. But what we typically see in the individual rezoning cases are owners of the 20% of the total area within 200 feet of the property covered by the application. So that's what we see on a pretty regular basis is that question comes up whether or not we have 20% of the neighbors. For a text amendment, which for council's consideration on Thursday, is a text amendment to our code for vmu, so for a text amendment ownersers of 20% of the total area within the city with a V designation is the

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denominator. Alternatively if 20% of the owners of the total area within 200 feet of all the properties with a V designation, that could also be our denominator. I think that our -- with something like V, so the way the ordinance is in backup today, that denominator is going to be all the V properties in the city to meet the 20% threshold is actually going to be quite challenging. We the proposed amendment from councilmember kitchen, just using that as an example, it's creating the paper district. Nobody has the v2 that is being created so there is not really a denominator, there is a protest right but not a denominator because nobody is subject to it. If council adopted that paper district, when someone comes in to apply for that district, then we will have

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the 20% where we will be looking at probably the neighboring properties because the owner would come in and likely ask for the zoning change so the 20% wouldn't be necessarily an issue for the owner, but it would be for the surrounding neighbors as well. We would generally have to look at that. >> Mayor Adler: Thank you. >> Kitchen: I have a very quick follow-up because I'm sure others may have questions too. I'll leave time for others. Okay. So let me just make sure I'm understanding. So for a text amendment, which is a change to the code that doesn't actually -- let me ask you this. A text amendment changes the language of the code, but doesn't actually attach the change to the property. Is that how we define a text amendment? >> So a text amendment is a change to the code itself, not someone's zoning ordinance for their property. >> Kitchen: Okay.

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So in this case -- and then the second question I have is so you had -- you told us protest rights apply, but the individual notice -- so the individual written notice does not apply to a text amendment, is that correct? >> Correct. I'm going to say yes, but there could be a situation that council takes on that could have the potential for it to same not going to say absolutely in every situation. But generally speaking, yes, the text amendment is going to be the published notice, but if we change the string on the piece of property they would be entitled to individual written notice. >> Kitchen: Okay. So talking about the vmu. So in this case, a change to the ordinance itself is a text change that doesn't require individual notice and so then I get to the application of the protest rights. On so in the case where we have the amendment that I

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brought forward, which establishes that the change would apply as part of a zoning process. In that instance protest rights and individual notification would apply at the point that someone wanted to make that change to their property. Is that right? >> Correct. >> Kitchen: If we don't attach the language that I suggested, then we can still make the text change -- tell me what happens if we don't apply that? How does an individual get noticed that their property could be considered for change? What happens if we don't -- I'm sorry, I'm not being very clear. I have been thinking that in order for an individual or folks living around a property to have individual notice and property rights, they have to have -- we have

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to include in our ordinance establishing it as a zoning process. >> For a text amendment -- for the ordinance that's in backup today that the council has on the agenda for Thursday, the opportunity to

protest is now. >> Kitchen: How do they know to protest? That is -- >> That is something we're going to have to work on as an organization going forward. >> Kitchen: Okay. So for example, they wouldn't -- we have not as a practice given individualized notice in a text change and so while people theoretically may have the opportunity to protest, we haven't yet figured out how to give them notification. Is that what you're saying? >> We've given them innovation. We haven't educated the community about the protest right. >> But we haven't given them

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individualized innovation. >> Correct, but the individualized notice and the protest rights are not synonymous. So -- >> Kitchen: Okay. >> So you could still have the protest right for the ordinance that is in backup for Thursday. It's just not something we've educated the community on and that's what we'll have to work on going forward. >> Kitchen: So the challenge there is how to -- how is the community to understand that they have protest rights in the instance where we're making a text change because the notice to the public of the potential text change comes in our normal process as a newspaper publication notice? And the other ways that we put things on the agenda. So that's one of our questions, right? Did I say that right? >> So going forward if the council would like staff to include that language about protest rights in the notices we can do that. Council could also direct

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the manager to add something to the city's website to do outreach and those kinds of things to help educate our community about the protest right, yes. >> Kitchen: Could we also decide in circumstances for text amendments to provide individualized notice? If we're making a text amendment that doesn't impact the entire city, but impacts parts of city could we also choose to say we're going to give that individualized notice so people actually know what's happening next door? >> Yes. Council can make that decision. >> Kitchen: All right. So the last question I have because I know others might have questions too, with regard to the protest rights, so if -- I want to make sure I'm understanding you correctly. So in the case where we're doing a text change and we're treating something as a text change, we are calculating protest rights in the aggregate so that all properties that might be

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affected are the denominator and 20% of people who meet that requirement, the 200 feet for all of those properties,-- wait, I said it wrong. I got the math wrong. Basically it's in the aggregate, right? So what that means is if you have -- if you have -- if you have a text change where you are impacting 10 properties, for example, and you only have people protesting one of those properties, they won't be meeting the 20% because their math is calculated for all 10 properties? Is that correct? You could have a

situation like that. >> I'm sorry, could you do your hypothetical again? I apologize. >> Kitchen: Okay. I'm trying to explain -- and I'm not doing a good job of it, you may do a better job of it. But I'm trying to explain what we mean by doing the protest calculation in the aggregate. That's the way that I can think about it.

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So what that means to me, and I think you have a slide that explains it, but basically what that means is, if we make a text change that impacts a certain number of properties, I'm just going to use ten as an example, if we have a text change that potentially impacts ten properties, the protest rights apply for the owners of those ten properties, I'm going to set that aside at the moment. The protest rights also apply for people who are living -- I guess owners who are living within 200 feet of that property, okay? But they have to reach that 20% threshold. So our denominator is everybody that's living within 200 feet of all ten properties, and our numerator is the number of people that protest. So it's got to equal 20%. The issue with aggregate is

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we've created a denominator that doesn't look at protest rights for each individual property. It looks at protest rights in the aggregate across all ten properties. So if you have a situation where your text amendment impacts ten properties, you only have one property that people are raising questions about and have protests, the fact that you don't have any protest for the other nine dilutes the 20% for the protest for that one. Am I understanding the math correctly? I didn't mean to use dilutes in a negative sense. I'm just trying to understand the math. >> So if council considers a text amendment, and you have multiple properties that have that particular designation, so on our example for vmu, it has a V designation, all of those

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tracks. >> Kitchen: Right. >> So when you take all of those tracks together, that is going to be your denominator. So you need 20% of those owners or you need 20% of the property owners within 200 feet of each of those -- of the total properties. >> Kitchen: Combined, right? >> Combined, yes. So a much larger denominator than we traditionally see in a zoning -- in an individual zoning case. >> Kitchen: Okay. So protests in one part of the town and not the other part of town can impact whether the 20% is met. >> I think that's likely. >> Kitchen: Okay. I apologize, I just wanted to get really clear to make sure I was understanding it. So I may have other questions, mayor, but I want to let others ask questions. >> Mayor Adler: Thank you. Mayor pro tem.

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>> Alter: Thank you. I have a quick question for Trish, and then I want to clarify sort of how I was thinking about the process that we talked about earlier. So, with the notice the newspaper publication for a text change, that's what's required by the state, but there's nothing to preclude us, as council member kitchen suggested, of saying in any given case that we think we need more notice, or broadly saying we want to have more notice. >> Correct. Council can direct for additional notice. >> Alter: Okay. Will there be a memo forthcoming with some examples and ways for the community to better understand how legal is suggesting we interpret the ruling in terms of how we are acting moving forward? Because at this point, we just have our legal department's

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perspective on that, and we had talked about the need to be transparent here. I appreciate you being ready with the presentation and all of that. I just wanted to see if something would be forthcoming that would -- for people who are not able to come and watch this, that they might be able to access a memo of some kind. >> Yes, council member. >> Alter: Great, thank you. I don't know if people have more questions, if you want to stick on that first? >> Mayor Adler: Let's take on this first and then I'll come back to you to help me -- to help clarify my misstatement earlier. Yes. Council member Kelly. >> Kelly: Oh, I didn't have questions for legal, I just wanted to talk about the item. >> Mayor Adler: Okay. Let's stay with legal for just a second while we have them in front of us. >> Just so that I'm following

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this correctly, you mentioned that the ordinance does come with a protest right for the community. City of Austin has done a public notice, so we're in compliance with the state law for public notification. However, I want to dig in on the denominator for this Thursday's ordinance proposal. So the denominator for the vmu2 text amendment would be all of the properties that would be subject to the change of -- you know, I guess, of the new classification of vmu2; is that correct? >> It would be for -- either proposal that council considers or adopts will have the protest rights associated with them. Because what council is voting on this week would be a text amendment regardless of how it's kind of set up internally. It's still a text amendment to

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the code. And so the denominator will be the 20% of the total area of the properties covered by -- that have a V designation today. That's the one denominator. So if you've got 20% of those owners, then it triggers the 3/4 vote. However, there's a second denominator which is going to be an even larger denominator, which is the 200 feet surrounding each of the properties. So if you take that total area within 200 feet of all the properties with a V designation, if we get 20% of those voters, that would trigger the 3/4 vote. For the ordinance, that is a text amendment. >> Fuentes: Right. And so the options -- go ahead. >> No, you finish. >> Fuentes: The options that we're considering between the two -- the current ordinance proposal is for all V classified

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properties throughout the city and council member kitchen's proposed amendment would then change it to be within not only all of the V prompts, but also properties within 200 feet of the V properties? >> It would actually be -- so, both are the denominator. What council member kitchen's proposal does is kind of adds a second layer. The way the ordinance and backup works is it is an administrative designation essentially. So if you are going to be provide the amount of affordable units set out in the ordinance, then you would be classified as a vmu2, and you would get the 30 feet of height. That would be done administratively based on the draft that is the staff draft forward. Council member kitchen's ordinance proposal will actually

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create what I'm calling v2. If you look at the last page of the motion, we designated it as v2. So it would create this paper district of v2. That second step is nobody would get that administratively. They have to come and ask council to get the v2 added to their string. >> Kitchen: If I could clarify. >> Mayor Adler: Hang on a second, just so that we get turns here. I understand. Let me see -- I think that the mayor pro tem's question about getting something out to the public, so people understand why, also why it's the interpretation, what the law says, I think will also help people be able to apply it. So at a really high level, my understanding from my conversations with you is that what the law says is that 20% of the people impacted by the council action form the universe of -- I mean, 20% of the people impacted by the council action is the group from what you have

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to have -- the group that's entitled to file the appeal. So you have to be in the universe of people affected by the council action so. If the council action is just to zone one property that way, then the only people that are impacted by the council action is that one property and the people around it. If, on the other hand, the council action is to impact all of the V properties, then the people that are impacted

by that council action would be everybody who is around any of the V properties anywhere. So council can either decide to take an action that says tomorrow, or as of when we take our vote, every V property, this is the rule. In which case, it impacts all of the V prompts and the universe of people, everybody that's within 200 feet of any of those V properties, because they're all impacted. So if you want to get 20%, you have to get 20% of all of the

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people impacted. On the other hand, if what the council does is say we're going to create this v2 district, vmu2 district, we're not applying it to anybody. We're just creating the district as a tool. Nobody's impacted at that point so nobody has any appeal rights. But the day that a property owner comes in and says, I want you to give me that vmu2 designation, if the council does that, then the action taken by council is to impact that one property, so therefore, the people that would be able to file an appeal or protest are the people within 200 feet of that property. So my understanding is that the measure of that is in front of us. And, in fact, the measure in all fairness that we asked staff to bring back to us when we passed our resolution last November was to get us something that impacted all of the vmu

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properties. Therefore, if we pass that, then everybody within 200 feet of any vmu property is part of the people that are affected. Council member kitchen's amendment says, rather than doing that, let's just give vmu2 to one property at a time, and because we're giving it to one property at time, the universe of people that would be impacted would just be the people around that property. Did I state that correctly? >> Yes. >> Mayor Adler: Council member kitchen. >> Kitchen: Thank you. That was articulated better than I was trying to articulate it. But let me just explain the reason I brought the amendment is because I am concerned about the interpretation that we have to look at protest rights in the aggregate. So, that's reason. We did start down this road with what is essentially administrative attachment of v2.

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That was before the Acuna ruling. So what I brought forward is because it was the only way I could figure out to actually give meaningful protest rights because I don't think it's meaningful protest rights if you're counted in the aggregate with everybody else in the city. So I have one last question. So we got some clarification -- and thank you, mayor pro tem, for that. We got clarification that, you know, that the council could choose to do additional notification or notice rights. So my second question: Could the council choose that in circumstances like V that we want to calculate protest rights as it applies to a particular property when we do a text amendment, as opposed to in the aggregate? I'm understanding

that legal's interpretation is that we only have to do it in the aggregate, but could we not choose to do the math in such a way that is

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not in the aggregate, which would have the same impact as what I was trying to achieve with attaching, you know, the one by one that the mayor explained. So this is just something that we all need to understand and think about, because perhaps you could give meaningful protest rights to individuals around a particular property if you did the math differently as part of a text amendment. I'm not proposing that at the moment. I'm suggesting that we think about that. I know that one of our concerns that folks had about actually having to go through a whole zoning process to attach v2 is concerning for folks and I understand that. And that's why we made it administrative to begin with. So I think we should give it some thought. And law, you may need some -- law, thank you -- legal. You may need to confer and consider whether we could do

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that. But that's a question that we have on the table. Could we choose with a text amendment to do the math differently and in that way, achieve the same thing that I was trying to achieve with an amendment that requires a whole zoning process. So I'll leave that on the table for people to think about. >> Mayor Adler: Thank you for that. My hope is we can get to a conversation about process rather than -- I think there will be people that disagree with you substantively on that issue, but that can be part of the conversation as people go off, you know, for several weeks and then come back and talk to the larger group, and then thereafter have larger community involvement. It might be helpful just to know at a really high level what people are, just so colleagues can hear where people are at a really high level substantively. But my suggestion is let's find out if procedurally the way we

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want to proceed is to postpone the conversation substantively to give people a chance to work and come back. I'm going to go to mayor pro tem, because I cut you off before, if you want to say something. >> Alter: I want to clarify what I had in mind. The mayor said he misspoke. So when I mentioned the date of may 17th, that was merely to say I think that we could have a touch back as a full council on where the different groups had come up with options and share the options and have those discussion. When we talked about process, it would be premature to try to have big public meetings, because we have no idea where we're landing at this point. But we were trying to figure out, you know, do we delegate to the planning commission or do we not. But these groups would allow us, you know, in terms of sort of the broader engagement, these groupings would allow us to

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engage our own commissioners in discussions to get the benefit of their knowledge and expertise, and they wouldn't be precluded from doing that, but we really wouldn't know where we were landing until we began to come back as a group and we considered sort of the options and part of the notion of putting folks together. Who don't normally stand together, to try to find those middle ways. We have some things that happened without there via planning commissions, which would be a good place to start, and trying to interrogate those and see if we can land on something, and then when we have to figure out what the appropriate process is at that point. If we're in agreement, that we can land on something, then we can move faster, if we're still not there yet, we may feel we

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need to have more modeling, we may feel like we need to do more steps. I don't know that until we actually do the exercise of deeply engaging on that process. I do not believe that the community conversation was laid out, and I think we do have to -- you know, I'm thinking about this as a discussion. The corridor is not just the vmu, but if we were only thinking about corridors, we certainly would need -- if we're only thinking about vmu, then we would certainly need to recognize that some districts have more vmu zoning in them and might require more conversation toe goat finish line than others. I don't feel like I've resolved that. I think it's a conversation we have to think through and address. I just know that we are not ready to make these decisions, in my view, this week. And if we do, we miss an

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opportunity to make more significant changes where we can tie any density increases to affordability and really achieve the goals that we all agree on. >> Mayor Adler: I appreciate your help with the clarification. Council member -- okay, Kelly. >> Kelly: Thank you. On item 33, I agree with postponement. I also agree that we need the full dais here in order to honor all of us in each district to get them involved in the conversation. The community does need time to digest the amendments and community feedback. My understanding about land development code changes is important. I really feel that we need to have that, coming out of the most recent lawsuit. I like what the mayor said about corridor density. It's important for both growth and affordability. And I believe as a council, we need to rebuild trust in the

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community about these discussions and decisions that we're having. So I'm looking forward to hosting a town hall in my district to talk about these issues. Thank you very much for the postponement. >> Mayor Adler: Thank you. Council member vela. >> Vela: I really appreciate the discussion, and I appreciate council member kitchen and mayor pro tem alter's comments. I agree with them. My only addition would be a sense of urgency with regard to these changes. That stems from a forced eviction that was going on in my district, and we were talking to the folks that are being forced to relocate. They were saying they cannot find apartments in Austin. They were given until April 30th, took a couple days off to

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look at apartments, and they were like, maybe late June we might have something. The situation is really critical. I think all of our housing indicators are very negative at this point. I mean, talking about rent increases, talking about priceline increases, vacancy rates. Just the number of single family homes, even if you're a purchaser. I just hope that our reaction and our response as a council to the housing crisis that we're facing matches the scale of the crisis. I think that, unfortunately, the time for a kind of smaller changes and tweaks has kind of come and gone, and the scale of the crisis is such that corridors and the density, the number of units that can be built along the corridors is where I think we can give our renters some breathing room and

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potentially home buyers as well. And just one more comment. I think that ultimately, the work of vmu type zoning, of expanding it dovetails with project connect. If we're going to have a successful quality transit session, it has to be surrounded by housing. The conversation we're having moves us toward a much more affordable, much more environmentally sustainable city I appreciate it. I enjoyed the message board comments. I thought they were all comment. I look forward to working with everyone to do something positive. >> Mayor Adler: Thank you. Council member Renteria. >> Renteria: Thank you, mayor. I agree with my colleague,

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council member vela. On three of the corridors -- I have indeed three, which is south congress, south 7th. I mean, east 7th street. We have built over 2,500 units there. Only 254 are income restricted, part 60 and part 80%. With the v2 -- and I've gotten a lot of criticism for that because a lot of the community there have been wanting more affordability, you know, in order to give them the bonus that they've been asking for. And they're saying -- a lot of our residents are really struggling, when a single one-

bedroom apartment is \$1,500 and two-bedroom apartments are \$1,900 a month. Now, that's not affordable at

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all. With the vm2, we'll be able to get corpus center 80% ownership, and rental, we'll get 12% at 60 for 40 years. This is the thing that we need to start working on quickly. I hope we settled, so that we can get this city moving on building more affordable units. I mean, we're really struggling. It's sad out there where people just are -- can find a way to go. I mean, move to. There's nothing available. We're all going to be competing for a house or an apartment. And paying top dollars for something that we even end up having to pay more than 30% of

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the income. So let's work together. Everyone gets a feeling that they're more educated on this issue, because we are really struggling right now, and we need to get something down. >> Mayor Adler: Council member harper-madison and council member Ellis. >> Harper-madison: Thank you. I want to echo the sentiment of council member vela and Renteria. I'm really just very happy that council member vela had the courage to bring this item forward. We all know that this is going to be a tough conversation. I look forward to having it. Amongst ourselves. We all know that Austin is experiencing a severe affordability crisis, and coming in, I came in on the tail end of the conversation around

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codenext. We spent ten years talking about rewriting our land development code to allow for more types of housing, and for more kinds of people, and all parts of Austin. While that process featured a ton of community conversations, as a layperson, attended many community engagements and gave feedback. One of the pieces that came out of that was our city was prepared to accept more density along the corridors. The median income is topped at \$600,000. That's \$600,000. \$200,000 more than it was one year ago. One year ago. I mean, the impact of that is felt so deeply. I really appreciate council member Renteria's commentary. People that are calling our office every day that just are

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hopeless. They have nowhere to go and they can't afford to live here. In which case, I think we need to do everything we can to make more room for people. Residential appraisals jumped 56% over the last year. I just keep thinking about, you know, our working class and our middle class austinites. You know, it must feel like we're up here just fiddling around while they go looking beyond the city limits for housing they can afford. Teachers, firefighters, baristas, musicians, police officers, nurses, bus drivers. They're all getting priced out of Austin. It's long been economically and racially segregated, and we're only letting that get worse with our inaction. I think the status quo is broken. It broke a long time ago.

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I think passing it with council members -- with council member vela's amendments would signal that we were finally ready to take some action to respond to consensus on density, while also re-imagining some of the outdated rules that have led to our current crisis. I'm not sure about what the value is in postponing, so we can have more discussion and more input. I think we've done that for the last decade. I'll respectfully follow the lead of my colleagues. I'm happy we have, however -- I am happy, however, to wait until we have all members on the dais to weigh in on it. >> Mayor Adler: Thank you. Council member Ellis. >> Ellis: Thank you, mayor. I think this vertical mixed use conversation is an interesting case study of what the community

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decision has come out to say and our legal staff's interpretation of exactly what types of notification and protest rights are going to apply to our zoning cases moving forward. That being said, I do see there's a benefit in predictability. You know, when we tell people that we need certain community benefits in exchange for certain types of zoning, it's extremely frustrating to see some of those packages are different from case to case, zone to zone, you know, council district to council district. And the truth is that we do need more housing. I'm also shocked by the increase in the average cost of homeownership in this city. There are city employees that can't afford to live in this town anymore, and it's something that we need to take very seriously. I know a lot of this have worked on this topic and many different angles over many different years. The truth of the matter is, there is an urgency in doing something to bring more housing into this town so that the folks that give their heart and soul to this community feel like they have a place to live and that

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they can stay here inside the city limits as well. I would lean more toward having a date for a postponement, just so that we can provide proper notice. We can always decide at that point in time whether we need to take a vote at that moment or if we need a little bit more time to work on some of

the details of this particular plan. But I do like the idea of giving it about another month for us to have these conversations and to be able to educate the community, whether it's ourselves and city staff to help us make sure we're relaying the actual information that's accurate, and everybody's understanding the exact same process moving forward. The idea of being able to do blanket notifications and having a different universe for text amendments is a new concept that I don't think we've really worked through as a dais or as a city staff. But I do think predictability and certainty, so that when people want to build homes in our community, they're not spending years to say is this going to work, is this not going to work.

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And some people get to the dais and they get a blessing, and sometimes they get to the dais with the same package, and it's not quite enough for the community that surrounds it. So I see a benefit in having consistent expectations of what these new notification and protest rights are going to mean. But also predictability in exactly what packages are going to get approved by the dais, especially when we approve resolutions and have boards and commission input. I want to make sure that all of the public input that's happened to that point is consistent and we don't switch gears at the last minute, because I think that creates a lot of frustration in the community and further sets us back on our housing goals. >> Mayor Adler: Council member tovo, did you want -- >> Tovo: Well, I have questions for law, which is going to take us backwards. I didn't realize we were switching from that. If other folks have general comments, they can make them. >> Mayor Adler: Council member kitchen. >> Kitchen: Just a quick comment. As people are moving forward to

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think about things, when I brought this with my colleagues back in November, I brought this because I wanted to address affordability and I wanted to address it quickly. I think we all did. I appreciate that we're at this point. At that time when we passed it in November, we said we wanted to move quicker. We put a January date on it, but of course, it takes some time. I appreciate all the hard work that our staff has done and the planning commission has done to get us to this point right now. So I share the sense of urgency. I think it may have been council member vela that mentioned that. I initiated moving forward with greater affordability, and I'm glad that we now have time as a group, a little bit more time with urgency to actually get the most that we can out of this. I would just ask you to think about, you know, as we spend a

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bit more time and council member, Ellis, I hear what you're saying in terms of, you know, let's know what time we're talking about, but I have proposed in my substitute a higher level of affordability, and council member rent re Renteria, I'd like you to think about this, too. A higher level of affordability than our staff came back with. Because I wanted to see how much we could get. Because like everyone is saying, it is really important to use the corridors and make sure that people can live along the corridors. I don't know what the right number is. I would like y'all to think about it. A what I have proposed is 15% of units at -- and 12% at 50% mfi. I'm also hearing that we may need even deeper affordability, and especially in some parts of our city, so we may need to think about a 40% or a 30% mfi.

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I'm not sure what the right configuration is, and I'm not trying to answer that today. I'm just trying to flag that, this issue of the level of affordability, the percentage of affordable units at what level, what deep level of affordability we should ask for. We need to get the best that we can, so we need all of our thinking on what that should be. I want to thank y'all for considering that. >> Mayor Adler: Council member Fuentes. >> Fuentes: Thank you, council member kitchen, for bringing this forward and having the foresight of the action that we need to take as a council. I agree with you about having deeper levels of affordability. So I look forward to talking more with about that with you. Council member vela, I did want to share my support for your amendment related to reducing parking requirements along our major corridors.

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Especially for housing developments. I think that us having a conversation on legalizing parking options in Austin is extremely timely. It aligns with our climate goals in reducing CO2 emissions, and so I am supportive of that effort and would love to continue that conversation as part of our group conversations on council, and thank you, mayor pro tem, for bringing that forward. I would like to join you in discussing what additional changes we can work on together. >> Mayor Adler: So I'm sensing our first consensus with what we do with this item on Thursday, and I would join also to postpone this. I think it's a practical matter, we can postpone it to may 17th. That means it's back on the agenda. But without an expectation that we actually vote on may 17th, because may 17th would be the day that we're daylighting

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really for the community and the council things that we think would work. That gives us two more council meetings before we leave in June, on June 9th and June 16th. Around that gives us the opportunity to be able to act. In my perfect kind of world, and scenario, we're able to then act on the

9th or the 16th on item 33, with whatever is the appropriate item in V, because that item is in front of us or already having been initiated. And it could be, if we're successful in finding other things to move forward, we could either have an ifc or an item from council, from staff on the 9th or the 16th to initiate other ordinance changes consistent with whatever we can agree to as part of the broader conversation. And those can come back to us after going through the planning commission process, but that would have us maybe in fall or early fall being able to complete this circle. So I want to ask the question, manager, this is -- staff has

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done so much work on this over a ten-year period of time. An incredible amount of work to get this back to us so we could act on it today. Thank you so much for that. I don't want staff to be discouraged at all by this being put off. But yet, as a real opportunity to maybe see if there's -- if we can use the work that was done as a springboard to see if we can reach further or better. So, manager, if we do this, we're in essence asking staff to help council offices and people between now and the 17th do that to be able to come back. And then helping us with our larger public engagement opportunities as we would head into the 9th and 16th. Can you help us with staff support to be able to do this? >> Certainly, mayor. And as always, we stand ready to assist in this process and hope that we can assure that you have

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the staff support along the way. >> Mayor Adler: Mayor pro tem. >> Alter: I'd like to adjust that a little bit to be more along the lines of what we had discussed, mayor, which is the 17th is a work session. And so you would actually need to postpone the item until one of the June meetings. We could postpone it to the June 9th meeting. That doesn't preclude somebody from bringing it earlier if we're ready. But I think we cannot have a public process if we haven't surfaced the solutions until the 17th, so you couldn't vote on the 19th. I mean, it sort of -- and there are districts that have a lot of vmu. I just think that setting that, we're going to spend significant time on the work session on the 17th, focused on this issue with a key angle being vmu, and if we manage to make progress for other parts of the corridors, we can surface those discussions as well, but that we postpone it

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until one of the June meetings for the date that we be voting on it, I think would be more realistic. And you may have meant that. I just want to clarify process-wise. >> Mayor Adler: No, you're becoming kind of a mayor whisperer today, and I appreciate that. My intent was not for us to actually vote on anything, but just to daylight those items on the 17th. So, we can put it on the agenda without actually putting the item on the agenda. So I think we do take the item, and we postpone that to the 9th with the possibility

that we would postpone that again to the 16th, and what we'll do is just put the item for discussion of council that week of the 17th. Let's see what the agenda looks like on the 19th. We'll probably put it on the agenda and the work council. It gives us the greatest amount of flexibility. But that would be an opportunity to daylight and to talk with each other, but not to vote on

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anything. >> Alter: As long as it's listed on the 19th as discussion-only, I don't have a problem with that. I just don't want to -- we risk confusing people and ourselves. >> Mayor Adler: I've confused people on the dais already, so I understand the need for that. May would just be discussion, no action. Okay. Council member tovo? >> Tovo: Yeah, sorry, but I do need to -- >> Mayor Adler: You have question for council. >> Tovo: I do. I think we moved on from that before I had an opportunity to do so. I'm going to kind of need to mull over this powerpoint. Thank you much for providing it. I know it's been mailed to counsel offices and it's going to be in the backup. So to get back to the conversation that you were having and the mayor's summary of it. If we look back to conversations that we had during the land development code, and kind of merged it with what your interpretation is here today.

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If provisions in, say, rm1 are suddenly proposed to be within single family 3 as they were doing the land development code, if those are regarded as text changes rather than as zoning changes, the only protest right that would be allowed would be one that is 20% of every single family 3 property in the entire city? >> Trish link with the law department. I think, council member, if we're changing anything in that string, that property owner has a right to protest. >> Tovo: Can you explain -- I'm sorry to interrupt, but you've mentioned string a few times. Are you talking about the string of zoning -- cscs, mp, et cetera. >> Yes. >> Tovo: So if you're adding something to that string, in this case, it would be let's see

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sf3b -- >> If we are modifying that string in any way -- so, if it's sf3 and it's going to become rm1, and that individual property owner would be able to challenge that, protest that, and also the landowners around them. >> Tovo: But if you basically just put all the provisions -- I think what I'm wondering about, as you're talking through it, I can see a natural question, I'm surprised I don't have one already, is what are the -- you know, how are we addressing what was the primary concern of the 14,000 petitions that were filed, even though folks were told they had no protest right? If all of the provisions of a whole -- you know, what would ordinarily be another category of zoning get folded into an existing category of zoning and called a text change, as I'm understanding our conversation here about vmu2, the only

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protest right that individuals would have would take effect if they get 20% of every other property owner in the whole city who has that same zoning. If there's not a second step. So council member kitchen added a second step, where people would have to come and ask for that category. If that second step doesn't exist, the only protest right you have is if you get every other like property owner, 20% of every other like property owner in the city, and that doesn't feel in concert with the spirit of the decision, and possibly not the letter of the decision in Acuna. >> So if council created paper districts, so what we're calling -- for the example that you have a concrete example to look at, the v2 that's in council member kitchen's proposal is a paper district. Nobody has v2. You have to -- once it's passed, then you come to council and ask to be a v2, to add that to your

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spring. >> Tovo: If I could pause you there for a second. That's only if we accept the amendment that she's proposed. As it is currently, it would just be by right. In the ordinance, in the ordinance that's been presented to us. >> Correct. Because it's changing the regulation. So all the vmu properties that are covered by that change -- all the vmu properties have that regulation change for them, is how we get to the denominator. >> Tovo: Then under that logic, you could pick any zoning category that currently exists, change every regulation within it, change the height, change the -- you know, every single regulation that's part of that and just say now this is a text change, this isn't a zoning change. Yet I think, you know, many people would probably disagree that that's -- with that characterization. >> And that's one of the situations where we're going to

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have to really look at what council initiates and make that decision about how we apply state law. Because to your point, if it is so substantially different, I could see that that would be a concern. So we would need to look at what council actually initiates. So what we have provided so far is just the framework of what state law says. But when it comes down to what this body initiates, what planning commission initiates, we will look at that initiation and we will make decisions and recommendations based on what is actually initiated. So, for a single change, like which is what is proposed right now in the staff ordinance, the denominator will still be the total area of the V properties. >> Tovo: So if it proceeded as staff have drafted, you would regard that as a text change, not a zoning change.

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And the denominator would be every vmu property in the city. >> Correct. >> Tovo: And the basis for that -- and the basis for that is that in your estimation, the regulations within that category are not changing substantially, the increased tide is not changing that category substantially enough to be considered a zoning change? >> No. >> Mayor, I do want to say that we have just received the Acuna decision fairly recently and we are still working through the details, because it is a change in the way that we have interpreted the state law, so we want to ensure that we are continuing to review it and talk with council about how we're going to move forward. So I don't want to put Trish link on the spot of having all the answers today. And we do want to have a public-facing conversation and written material.

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We want to be transparent, we want the public to weigh in as well. >> Tovo: Okay, thanks. I certainly appreciate that. I think that is the substance. As I heard my colleagues and the conversation earlier, I think this is a substance of a question that we need to be able to answer. If we are contemplating taking on this action with regard to vmu2, I think we need to be able to answer that question of why it's being considered a text change and not a zoning question. Under council member kitchen's proposed path, it is one thing. Under this proposed path, I think I'm hearing it's another. I would like to be able to explain to my constituents. I appreciate that need for more time, especially if we're adding compatibility to that conversation, I'm going to need -- I can't go out to my community and ask them to talk and to provide meaningful feedback if they don't fully understand this issue. That's just going to be the first question they have. >> Mayor Adler: Got it. >> Tovo: Thank you. >> Mayor Adler: Thank you. Mayor pro tem.

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>> Alter: Thank you. Ms. Link, so, when we add compatibility in there -- so, I mean, as I understood what the staff proposed, it was creating this vmu2 that you could get by right, if you agreed to this additional affordability, but it didn't change compatibility. Now, if you add, you know, basically eliminating compatibility altogether, you get things -- and I haven't seen your amendment, but you get things like a 90-foot building at the lot line, which is significantly bigger, and you get that then for vmu as opposed to, you know, all we change for vmu, which is an existing zoning, was the level of affordability for those properties that were not already at 60%. So, there is a substantive difference in the degree to which you are changing it under those circumstances. And so, as you're coming back

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with some sense of how you would interpret things, I think that's what we're struggling with. On the substance of the particular issue, you know, I felt very strongly that it should be by right, but that was without sort of eliminating compatibility. Now, that doesn't mean you couldn't introduce some kind of relaxation to compatibility that you get if you're doing the additional affordability, but flat-out eliminating it and doing it at the same level of affordability that I would have given them with no changes to compatibility, then our affordability is not calibrated and we're not capturing the level of affordability that we could on a corridor. And so we have to think about both pieces, if you're going to eliminate that. And then you have to understand what is vmu's -- what are the things that are already relaxed under vmu, and then a further thing from me that I'm struggling with as we do some of these things is how does this interact with affordability

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unlocked, which already lets you do a certain number of things, seems to be working very well. Do we just undermine that program as we're doing it, you know, as we add all of these things, and that was part of the reason I couldn't get to where I could support anything for this week is because I don't understand how all these things interact, and one thing we've learned with doing zoning stuff for so many years is that the devil is in the details. And, you know, yes, we've had -- you know, the thing that I just want to say and why I'm excited about us having some of these conversations that kind of cross some different approaches is that we haven't actually had the conversation where we try to land in the middle. We've only had this sort of either/or kind of approach. And I think there is a way forward that is more calibrated,

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but that still makes very significant movement. Thank you. >> Mayor Adler: Council member vela. >> Vela: I appreciate the mayor pro tem's comments. In some of the conversations that I've had with builders, my sense is that the reduced parking plus additional height gives room for increased affordability. Either in, like, the percentage or in the depth of the affordability. So, I do think that should be part of the conversation, but again, we do have to get it right. Because I don't want to pass a program that no one uses. Whereas the current vmu program is very successful. I think we're at about 5,000 combrunts or so on the current vmu program. >> Kitchen: It's 15,000. >> Vela: All right. It's predictable. There's not this -- the transaction cost so many times

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involved in the rezonings are so difficult. There's a big long process, negotiations about this piece and this piece, whereas with vmu, it's not that you just get the height, you know, you got to do this, and

we're done. I do support the simplicity, though, the clarity. I think that will facilitate action on the ground in terms of getting additional units on the corridors. >> Mayor Adler: Council member Ellis. >> Ellis: Thank you. I do appreciate those comments. One of which I had noted and since you said it, I don't have to repeat it. But I think it's important that we're very careful about when we say something is by right versus something that is offering an add community benefit for something like added height. I also want to make sure that it is workable and usable, and so -- you know, what I have heard in feedback is when you say someone has to add this much extra to get this much extra out of it, but then you have other

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pieces like height, you know, you're trying to get more height, you're adding more affordable housing to get more height, and then you have another regulation that says, but you can't actually achieve that, you can't accomplish that goal, and something I have heard over the years of talking about housing, you know, in Austin, is we can't forget that housing is a community benefit. We don't have enough housing for apartment dwellers. I myself don't own a home yet. And apartment affordability is something that's really important to me. So I want to make sure that we're careful about when we're saying that something is, you know, by right or they don't have to provide any community benefit to be able to achieve some of these goals, is that, you know, we do need bonus programs that say, if you meet this criteria that's predictable, and that the council has set, that we want to make sure that that project pencils out. So I really want to be careful about, you know, even apartments, any apartments are helpful. And yes, we do need to commit to deep affordability, as deep as we can get. And I think that's why this conversation is so important for us to be having right now.

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>> Mayor Adler: Okay. It's past 10:30, so we want to be moving over to the next presentation. For me, in case people are -- I support us trying to get to something where it's written into the vmu or others, so that someone knows they could get it, if they do what the obligation is. But I also recognize that it is necessarily then tied to what is it that is the accommodation or the relaxing. And for me, that's what I'm going to be working on trying to figure out how to proceed where it is -- you know, you can get it administratively, if you meet certain criteria. But doing the criteria in a way that represents an agreement, a more broad agreement. So I agree with the people that were speaking to that end. All right. Ann's going to close us out. >> Kitchen: All I'm going to say, because we've had lots of

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great conversation. I appreciate hearing what everybody's perspective is. That will help us getting to a point where we can have consensus. Mayor, you've mentioned this before in other circumstances, just for clarity for the public. Since I'm feeling consensus for the postponement, that people will understand that the testimony, right, on Thursday is around the postponement. If you could just clarify that for the public, that would be helpful. >> Mayor Adler: It's been the process of the council -- when it seems apparent we're going to postpone something, we know that there's going to be a move to postpone this meeting, but put it on agenda for discussion only on the may 17th work session and council meeting that week, that the public comment would be directed toward the issue of postponement. All right. Let's go ahead, manager, then, and move on to the briefing. >> Thank you, mayor and council. We'll have staff get shifted

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over, both virtually and in-person, but we do have an update on the meadows mental health policy institute recommendations. We are joined by a number of our team here, but we will first hear from our assistant chief Andy Hoffmeister from ems. Is Andy in the room yet? We might need a two-minute recess, mayor. >> Mayor Adler: Okay. >> Tovo: Could we possibly take up one of the other items that I've pulled in the meantime? >> Mayor Adler: Kathie, we can see how many things we can run through, if they're short. You pick, which one you want to go to first? >> Tovo: I think I'll go first to the Austin public health contract that's been suggested for withdrawal this week. And as I understand, this is the public health contract that we discussed last week for

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marketing and public relationsing for the covid-19 response. I know the staff had said that they were withdrawing it because of -- to come up with a more variable length. And I need to -- I need to understand why that's not possible within the existing posting, and I have additional questions -- I still don't -- I'm still not understanding what the funding plan was beyond the proposed FEMA funding and arpa funding beyond this year. >> Thank you, council member. We have staff from Austin public health - I know our small minority business group, and procurement. Who would you like to best address your question? >> Tovo: Well, let's talk first about the one that I think would be purchasing. I mean, I think the staff will know better who is prepared to respond to which. As I understand the memo, it says the current solicitation needs to be canceled because -- to allow for a variable term and an updated annualized cost of the city. I know my staff were in communication with some of the staff on this call, and the answer was that the rfp did not

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include that. I thought we could always do less than was contemplated and we have frequently adjusted the contracts. I'm just not understanding why in this case we can't adjust the contract length or the amount. >> Mr. Scarborough, are you able to answer that question? >> Yes, I am. Mayor, council members, James Scarborough, financial services department procurement. Can you all hear me? >> Yes, we can. >> Okay. Council member tovo, mayor, council members, this particular item was solicited using a request for proposal process. The term included in the

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contract, in the solicitation, was established at a five-year term. As you mentioned, we do have provisions in our indefinite quantity contracts to terminate the contracts earlier, and that provision is included in this contract. However, there were no increments included in the contract's term. This was set as a five-year contract. So whereas the council has indeed authorized increments of contracts in the past, there are no increments in this contract to separately authorize. Like I said, it was just sought as a five-year contract. Therefore, all of the proposals received were based on the assumption that if they were awarded, the contract would be four or five years. If an increment of that five-year was authorized, that may not be consistent with what was proposed, and that may throw us into new negotiations and

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that may not be -- that may be a material change to the contract that staff would not recommend that the city pursue. >> Tovo: Thank you. >> The chairman also understands that there were other reasons for seeking to withdraw this item, and terminate the solicitation. The term was just one of the reasons. >> Tovo: Okay. The only reason cited in the memo had to do with the terms, which is why I was interested to know. But you've answered that part of the question, which was that there were no increments. And so then I guess my two questions would be, what was the proposed funding for this beyond -- as I understand, the intention from our additional follow-up with staff was that the intention was to seek FEMA reimbursement and then to utilize the 2.5 million that was in the arpa funding. But I'm not sure that we've received any information that really answers the question that several of us asked on the dais at our last meeting, which was,

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was the funding beyond that contemplated to be general funding or what in subsequent years? And I understand that we make those decisions on an annual basis, but I assume there was some contemplation of what the funding source would be since it was proposed to be a five-year contract. >> Good morning, mayor and council. Adrian stern, Austin public health. Right now, there are --

communication projects are eligible for 100% FEMA reimbursement. On July 1st, that reimbursement goes down to 90%, and the thought was that the 10% would be covered by the current 2.5 million that we have in arpa dollars for that. So if you assume that we spent \$3 million over the five-year period, the amount that would be charged to arpa over the next three-year period that we have those funds available would be

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roughly \$300,000. But that's assuming that it wouldn't be used in equal amounts over the five-year period. >> Tovo: And the FEMA reimbursement extends across the next five years as well? >> We don't have that information. That, you know, comes incrementally. We get those updates. >> Tovo: Okay. >> So there's no way to forecast out for the full period. Of what would be eligible for reimbursement. >> Tovo: Okay. Thank you. I have additional questions, but I'm going to leave it there and just ask that when this comes back to council, if we could also better understand why corporate Pio -- I understood what aph was saying about, you know, trying to take on the work of all of the really expensive public communications in addition to the work they were already doing was overwhelming. I mean, I don't mean to ascribe -- that was not the term that our public health staff used, but I can imagine that it might have been overwhelming.

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But I think I would like to better understand why our corporate Pio is not -- you know, how corporate Pio interfaces with departments who have particular needs during particular times, and why those -- you know, how those staff are dispatched to assist with departments that are facing, you know, high levels. So it's not a question that needs to be answered today, but I think it does need to be answered if we have a department that is in need, can we utilize our existing staff rather than seeking other contracts. Okay, thank you. >> Mayor Adler: Thank you. And again, for the public, item number 18 is going to be postponed and withdrawn, so I don't anticipate any conversation about the merits of that on Thursday as well. Let's go ahead and move to the presentation. And clerk, before I forget, I would like to be listed as a co-sponsor to council member Fuentes's food access item, if

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that's okay, to be listed as an additional sponsor to your item. I'd like that to be reflected. Thank you. >> Tovo: And mayor, I'm going to try to sort through all of the information I have on item 5, just because I'm concerned that we're now going to have staff for all of these other items here all day. So, I'll put 5 back on for today. I hate to have to pull it on the council meeting. I understood that 14 needed to be answered in executive session. I'm not sure why? And I would like to talk about 19 at the appropriate

time. >> Mayor Adler: Okay. Why don't you talk to Ann here about executive session, and when we go into executive session, we can call item 14. >> Tovo: But 5 I'm going to try to hash out outside of this meeting. >> Mayor Adler: Okay. So staff for 5 doesn't need to stay. 14, council member tovo is going to talk to Ann about in executive session. 18 we took care of. And 19?

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>> Tovo: I still want to talk about it. I don't think these are terribly lengthy, but I do want to talk without them in a work session rather than council so I can be deliberating. >> Mayor Adler: Sounds good. >> Sorry for the brief interruption, but great to have the team here. This was a request initially by council member kitchen, but we have been giving periodic updates to the council and the community to kick us off is assistant chief Andy Hoffmeister. >> Good morning. I want to thank you for having us. My name is Andy Hoffmeister, assistant chief with Austin Travis county ems. I have today with me the team of folks that have been working on this project for quite some time. Have commander Eric Fitzgerald from the Austin police department, lieutenant Kim Murphy from the police department as well, don Hanley, chief of operations for integral care.

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Sherry blithe, the director with integral care. And Kedra priest with integral care. I want to thank them for being here. I'll be asking folks to come up and either explain or provide information as we go through this presentation. So today I'm going to be providing an update on the work that's been done with the meadows mental health policy institute as it relates to the recommendations that they provided us back in 2019. Next slide, please. Just a little bit of background on this. In 2019, the meadows mental health policy institute was brought in to evaluate and provide some recommendations on our current crisis response system for mental health crisis 911 calls and how we respond to them. They provided that report back in may of 2019. There were six total

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recommendations made. And shortly thereafter, the release of that report, the team here that you see and others began working on those recommendations. In October of 2020, meadows was contracted to come back and reengage with us and assist us in the implementation of those six recommendations. At the end of that original contract, in September of this last year, they were reengaged to assist us in completing two recommendations that remained in progress. Just as a bit of clarification, for four of those recommendations, they were completed prior to September or the original contract conclusion. The first recommendation that was made was for there to be a partnership between the Austin police department and the behavioral health and criminal justice advisory committee

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established, and so that they could provide -- could receive updates, information, data, those types of things, and then provide recommendations and feedback to the police chief on mental health programs that were within their purview. Number two relates to mental health for dispatchers. There was a curriculum provided or developed, and then subsequently approved by the meadows mental health policy institute. All of the Austin police, 911 dispatchers, and call takers underwent a series of trainings and that would enhance their ability to recognize and assist in de-escalation of 911 calls involving mental health crisis. The curriculum has been completed. The training will be under way later this year. But that's under the purview of

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the police department and there's some challenges there as it relates to staffing. Recommendation number three is the recommendation related to embedding a mental health clinician within the 911 call center and making them a part of the 911 call taking process. And this is where the mental health clinician has been embedded with the 911 system so that they can assist with de-escalation of certain situations over the phone, providing information to callers and assisting other 911 call takers and staff within the center in working towards diverting that call to more appropriately resources where it's appropriate. And jumping forward, recommendation number six, that was really related to community outreach and engagement. We partnered with the national -- with name central Texas to ensure that our messaging was consistent with the rest of the mental health community in our area, and materials have been

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developed and are now have been deployed out to the different entities that will be carrying as like police officers and such that can distribute this information when it's appropriate to the public. So those recommendations were completed prior to September 30th. What I'm here to provide updates on are going to be related to recommendations number four and five. Before we move forward, just a little bit of information that has piqued the interest of quite a few folks was some of the data that's come out of the call center, and this involves the mental health clinicians embedded within the 911 call taking process and to help go through that data and to better explain it than I can, I'm going to ask Ken Murphy to come up and go through these numbers and answer any questions that y'all may have. >> Good morning, council members, mayor. Thank you for having me here today. On the slide we have a total

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from 2021 where 3,766 calls were diverted away from law enforcement to our clinicians on the operations floor. This year, we're on track to divert approximately 7,800 calls to the clinicians with between an 80 and 85% true diversion rate. Meaning those do not have to go back to police or ems for response. The clinicians handle that in the call center or they dispatch the field clinicians, which is a team of two clinicians, to respond to -- speak to the community member where they are in the community. Further, we -- with Dr. Krinjen with the police department, we conducted an analysis of where we were before implementation of the program to divert calls, and notify officers of a potential mental health component to a call they're responding to, and we looked at arrest rates and use of force. What we found from two years prior to implementation of the

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program -- and when we look at specifically mental health services option, option number four, is when officers are aware prior to arriving at the scene of a call, there is a potential mental health component to the call, the arrest rates are 45.5% lower, and use of force rates were as much as 56.3% lower. And it's just the knowledge officers have of, yes, there's a potential mental health component, whereas before, they may have arrived on scene and not found out until after they gained control of the scene, there was a potential mental health component. So therefore, the arrest rates and the use of force was much higher. I'm happy to take any further questions. >> Mayor Adler: Council member kitchen. >> Kitchen: Just a quick question. First off, let me say I'm very proud of the team, and really appreciate what you all are doing. This is a nationally recognized program at this point. Many other communities are

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looking at you to how they can make their communities work. That these kinds of diversions can be a win/win, both for the community and for the individuals who are experiencing a mental health crisis. So, my question is just this. I'm hoping that -- and I apologies if it's been recently sent and we haven't seen it. But these -- the data that you're bringing forward for us is really important to demonstrate results, and so I'm hoping that you all will put together a memo or a short report for us that has this data in it, and gives us an idea of, you know, the -- how it was calculated. Just so we're able to answer questions about, you know, when we say 7,800 calls are on track to divert, how are we defining what that means. You don't have to go into the detail right now. I just think that it would be good to have a piece of paper that explains that to us.

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I'm pleased with these results. I can see progress. Almost a doubling -- I guess it is a doubling in calls that are diverted. And it's also interesting and helpful that you all analyzed the relationship between that in arrest rates and use of force. So I appreciate this data. I would just like to ask y'all to put it in some kind of a written format with a report that gives us some more information. >> Yes, ma'am. Thank you very much. And I did prepare a one-page handout for you. >> Kitchen: Oh, great. Excellent. >> Which can be handed out after the presentation. >> Kitchen: Thank you very much. >> I also had the report or the research and brief provided to the police chief's magazine for you as well. >> Kitchen: Excellent. That's what I was asking for. So, thank you. >> Yes, ma'am. >> Mayor Adler: Council member Fuentes. >> Fuentes: Thank you. I just wanted to give a very emphatic thank you to council member kitchen for championing

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this program. I mean, this is true change in action, and I'm so grateful for your leadership, and the fact that we can now share with our community that -- you said for this upcoming year, we anticipate an 85% diversion rate when it comes to calls related to mental health incidents. >> Yes, ma'am. For those qualifying calls, we can transfer to the clinician where there's not an imminent threat of life or property damage. We love between 80-85% since the inception of the program. >> Okay. So, I mean, that is just staggering, the success rate. And so, I'm very proud to see this information, to have this information on hand, so we can share with our community and how we are changing the way we do public safety and truly meeting the needs of our community with a comprehensive model of care. And so I'm just happy to see this. Thank you. >> Yes, ma'am, thank you. >> Mayor Adler: I think we all

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get asked the question periodically, what does it mean to re-imagine public safety? And I hate to even use those words, because they've entered into kind of the political rhetorical sphere, and I'm not sure we ever get to own those words again. So, not using those words. This is what change looks like, I think. That does two things. One is that it better gets for the people in our community the assistance and help they most need. The second thing is that this kind of response that's more tailored to the actual need is going to make us all safer. The third element that I would love to have APD address, and I don't know if we're able to hear, but at some point or after this meeting or otherwise, is one of the things that we're looking at in terms of resource allocation, is whether or not if we do this and we get better at

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it as we learn, as apparently we're doing over time, if we're able to divert more calls to clinicians, so that officers don't have to respond. Does that help us with freeing up time for those officers to be able to spend time with the community in undesignated time? In other words, does it actually help us with time allocation with officers? If our officers are lowering and arrest rate by 50%, and are involved in actual physical -- the need for physical interaction by 50%, both of which require significant paperwork to be filed and time spent on officers, does that also help us with asset reallocation in terms of what we're expecting of our officers? Does that better enable us to have our officers spending time on the things that they want to spend time on and the community wants them to spend time on.

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I don't have a feel for that. So at some point, either now or later, I'd like to get a feel for that and watch that as this program is continuing forward. But again, I echo the sentiments of my colleagues. >> Thank you, sir. >> Mayor Adler: Thank you. Okay. Proceed with the presentation. >> Harper-madison: Actually, mayor, my hand is raised. >> Mayor Adler: Oh, I'm sorry. >> Harper-madison: Council member harper-madison. >> Mayor Adler: All we had on the screen. >> Harper-madison: If the presentation sup, I'll just speak up. If we could go back to that last slide about diversion. To clinicians. I just have a question about once the community member has the opportunity to be diverted away from law enforcement and gets sort of transferred to the clinician, then what? Where do they go? And do we have sufficient facilities for folks to go? >> Thank you for your question, ma'am. I will pass that off to

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integral care and allow someone from integral care to answer the question. >> Kitchen: And mayor, I think that there's more to the presentation. >> Mayor Adler: There is. >> Kitchen: Some of the questions that are being asked will be addressed in the rest of the presentation. >> Yes. So briefly -- chief operations officer for integral care. Thank you for having us this morning or afternoon. To answer that question, council member harper-madison, once the mobile crisis outreach team is dispatched, our team of clinicians and case managers will do a crisis assessment and determine at that point, you know, what the next step would be. Most of the time, we're able to actually resolve the crisis in the field. So people, where they are in their home, we're able to put a plan together there. Or we will access our crisis residential services as an alternative placement for them, if inpatient is not needed. Does that answer your question? >> Harper-madison: Okay, I appreciate that. Sort of. It didn't speak to capacity.

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So to the mayor's point about allocation of general budget -- general fund budget dollars. I find myself thinking about capacity. We do get a lot of calls about capacity. And so, hopefully the rest of the

presentation will speak to that. If not, I hope that's some information we can garner from you in the future. >> Thank you. >> Harper-madison: Thank you. >> Mayor Adler: All right. Let's pick back up with the presentation. >> All right. Thank you. Next slide, please. So recommendation number four was essentially kind of a twofold recommendation. The first part of it, made the recommendation that mcot in its funding was made into a sustainable form, and that's where I believe council back in -- I'd be speculating, I think it was 2018-2019, provided funding for interesting call cares, mcot team, and that's where essentially that part of the recommendation was

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completed. The second part of that particular recommendation centered around the idea of including telehealth in that sustainment and making sure that telehealth was used as a way to fill any gaps where we may not be able to get somebody out there, or for situations in which we could use telehealth in communicating with a crisis clinician. And so with that, we started working on deploying those resources. APD has deployed about 265 iPads to five of their sectors throughout the city. Those sectors are the ones that typically have the highest rate of use in terms of crisis response resources. And both APD and ems are addressing low utilization rates with this new technology. We believe that it's probably due to staff in the field. It's a new tool. It's not one that's used, you know, multiple times a day, but it may be one that we need to

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keep at the forefront of their mind. And we're working on ways through training and education to keep that there. The telehealth capability is available, like I mentioned -- next slide, please. Sorry, got ahead of myself there. The telehealth capability is available, like I said, to multiple officers in the field, and ems is using the telehealth capability and platform that we deployed back early on in the pandemic. So, every balance crew in the city and the county has the ability to use telehealth, if they feel it's appropriate. To address this low utilization, the meadows mental health and policy institute conducted interviews and some focus group surveys to get an idea of why the utilization was low. Based on that feedback and the information that they received, they assisted us in developing and developing a training and

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education video that we're pushing out to our staff after final review. And that will be rolled out so that, again, we can dispel any kind of concerns or rumors and we can also put the information out there so it kind of stays at the forefront of their mind and it's a tool that they consider early on when it's appropriate. So to talk a little bit about the clinicians that are in the call center, and how that works with

telehealth, and what we consider to be a resounding success story, and there are quite a few of them, I'm going to ask Kedra priest to come up and talk through what we call Jerry's story and give an idea to illustrate how this works. >> Thank you. So, in this scenario, Jerry called 911. He had gotten into a fight with his partner and he was expressing some suicidal thoughts and some thoughts around self-harm. So, due to the imminent nature, police went ahead and were dispatched to this call. When police arrived on scene, they were speaking with him, and he was open to talking with a

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counselor, so they were able to get out their iPad and connect with a c3 counselor at the 911 call center. The counselor was able to talk to Jerry for a period of time. He was able to kind of calm down, express, you know, why he was so upset. He had shared that in a year prior in a previous situation, he had attempted to end his life and he didn't want to get to that place again. So they were able to safely plan with over the iPad. The plan was for c3 clinician to call him back later that night, which they did. And then they were able to connect him back with his case manager the following day. And were able to share that information, since he was linked to services within integral care. So kind of provided that continuity of care, and he's continued to meet with his case manager moving forward. >> So we think that's a good illustration of how this system integrates and works together,

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and also helps, like we've mentioned -- like that that's been mentioned before, is freeing up officers to address other needs and getting patients directly connected to resources that can address their immediate needs. Next slide, please. So that wraps up recommendation number four. Recommendation number five is essentially recommending that APD's crisis intervention team or cit team and ems's community health paramedic team collaborate in ways that can work on taking referrals that are coming in to the cit unit at APD, filtering through those using a partnership between integral care and one of their mcot clinicians, community health paramedic and a cit officer, can filter through those referrals that come in to cit, identify those that may not need any kind of police response, and farm those out or

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parse those out to resources that are already existing in the community. So, for instance, the way this might work is an officer may respond, be called out to a scene where an individual has experienced some sort of mental health crisis. That may have been handled or involved the c3 clinician at a different time through that call taking process, but right now, we're fast forwarding to where an officer is on scene with somewhat, and the disposition code that they use may automatically kick that all later on into a queue that the cit team receives. So, as they receive these referrals or these calls in their queue,

the Austin cares team, or this collaborative team, is designed to essentially kind of filter through those, sift through those referrals, identify which cases really need a response from either integral care, the police department, a paramedic, and get them directly referred over to the different

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resources. We're proud to say that this team convened and has seen their first few patients. They saw -- they started seeing patients this month, and of course, we will try to staff this up as best as we can as staffing resources allow. This multi-disciplinary team, like I mentioned, it's comprised of a police officer, a mental health clinician from integral care, and a community health paramedic from ems. This specific team, the Austin cares team, is designed to see those that are essentially the most acute, the most severely -- those that are in the most severe need of mental health services that have three kind of important components. One is that they may pose a danger to the public or to staff that were to go out to see them. So that's where the need for a police officer comes in.

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They may have complex medical needs. They may experience or live with things like diabetes, hypertension, heart failure, any number of issues that are purely more of a medical issue. They may also experience or have co-occurring mental health illness that would require the expertise of a mental health clinician from integral care. If they didn't, they could be -- when they're being triaged and sifted through by this cares team, they may be handed over or directly referred to resources just that might include the community health paramedics or the integral care clinicians, and never involve a police officer, and there's a whole bunch of different resources really to put this in perspective it illustrates how this team works and is designed essentially like

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the host program or the host team. The host team is comprised of a police officer, community health paramedic and clinician, except that particular team specializes in homelessness and addressing the needs of those that are experiencing homelessness. Next slide, please. So as I mentioned -- yes. So the training and orientation was completed last month. They went live and saw their first few patients this month. And like I mentioned, they reviewed the cases and the referrals that come into the cit team and determine what the most appropriate resource is. It's important to note with this particular team that they work in a follow-up capacity at this particular time. They are not a response resource so when the 911

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call comes in they're not a resource that is initially dispatched. This would be a team that follows up with the individual at a later time, could be hours or even a day later or maybe even longer, it just depends. And it would be a resource that would go out typically when the initial crisis had abated and was in a more stable situation. If we do get to a point through staffing resources and stuff that we can become a response resource we'll explore that option. But at this point that's not something that we're doing. Next slide, please. So this was a graphic put together by the meadow mental health institute or policy institute that essentially illustrates kind of what this Austin cares team is. So you see on the left side of the slide there's one individual from each of the different resources that makes up the cares team. If you look at the top line

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that serves as kind of a flow chart, this is where the cit receives the referrals, they'll go through a standardized kind of assessment or triage of those particular resources and then what's changed is that if this is a resource or if there is a situation that does require the specialty and expertise of each of the three different resources, then the cares team would look at this, would take that case and follow up with that individual on their own when they have the ability. If it doesn't require one of the three different resources on the team, then they would hand that over to it could be chp medic that goes out and addresses any medication issues or chronic health issues. It could be that they referred it over to host because that might be a resource that's most appropriate for that particular referral. It could be that just emcot goes back out. It could be that this individual that they're reviewing is already a

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client with integral care and they already need to be referred back to or they need to have that information passed on this their case manager like was mentioned in the last story from Kedra. So with that I'll hand it over to Kedra to finish it out and with a story and after that we'll take any questions. >> Thank you. In this scenario there is one actually that we coordinated prior to the official launch date of cares, but a call came in to the 911 call center which c3 one of our clinicians was talking to a mother and she was expressing concern for her adult son who was struggling with several issues, one being he had relapsed recently. And that he was expressing some suicidal thoughts and not wanting to live anymore. She was hesitant to provide her location. She didn't want lights and sirens, didn't want a full response, but did want

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response for her son. So she had shared that he had several medical concerns, cirrhosis of the liver. And on this day he was intoxicated, neighbor to walk, and so initially the clinician was coordinating a medic response with the emcot clinician. They offered that to the mother and she said well, that's okay, but he also declines treatment frequently. So she was concerned that he might meet criteria of needing to go to a hospital, but wouldn't be willing to do so. So when she shared that and also that he would get aggressive with the mother when they left. So they also coordinated a mental health officer. So it was a three team response, a mental health officer, a paramedic and an emcot clinician. They were able to go out and meet with the mom and son. As it turns out in this

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particular scenario due to the medical technicians they did need to be transmitted to a hospital but the clinician was also able to talk to the mom about treatment options available once he was medically stable. So again, didn't want lights and sirens, but there was a need for all three team members to respond to this particular call. >> This wraps up the presentation. I do want to take a moment and recognize bj Wagner. She is on the line. I'm sorry I didn't see that before. She's with the meadows mental health policy institute and was instrumental in helping us with these recommendations. >> Thank you. >> Thank you very much. I wanted to just see if Ms. Wagner wanted to add anything. I appreciate her assistance. I know you all do too. We've got a great team put

[11:20:34 AM]

together and it was nice that we were able to also take advantage of the expertise that meadows brings to the table. Ms. Wagner was there anything that you wanted to add? >> I'd like to say this team dug in and worked hard since 2018. And the ladies and gentlemen that the council members see in front of you have been at the table since 2019 and the work they've put in has been recognized by cities not only in Texas, but across the country and has been transformational to Austin. And the multi-disciplinary response team this crew has put together is unique and all of the emt's that are ready to pivot and become a first response team when the city is ready. And every other location that has created an mdrt including San Antonio to the

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south and Dallas to the north. Austin has done something very unique in creating a twofold team and it's exciting to see that work come to a conclusion. It's been a pleasure to work with the professionals in front of you as well as the city of Austin. And it's exciting to see the change that you all have created. So

meadows thanks you for having us at the table and we're going to be very excited to continue to watch you all grow. >> That's great. Thank you very much. I would just ask as you proceed that you let us know as council and perhaps I would -- city manager, I would like to know as part of this budget cycle what it would -- what resources might be needed to both continue this program and to allow these folks the resources they may need as they develop the multi disciplinary team. You know, again, you all are launching it now as sort of a pilot approach at this point. But as you move down the road testing that and get to the point where you can

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bring that to the table for first response when it's needed, then I think -- I would like to understand what resources are needed. City manager, I would like you to make council aware of what those resources are as part of the budget process. As I understand it, the multi-disciplinary team is something that improves on what each of the -- each of the teams do on their own right now because it gives you a centralized triage. And not everybody needs that level of expertise combined, but when you need it, having three folks go together or two folks go together can really get that person what they need at the moment so it just gives you even more focused response to what the individual needs. And at the end of the day I know you all see this and the public understands this too, but a lot of these folks are in situations where it's a continual --

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there's sort of a recycling -- that's not the right word, but they're in and out of the system over time. And to the extent that services can be provided that helps them stabilize and reduces the amount of -- and number of crisis they have, I think we're all wanting to do that. And so appreciates these efforts. I have one last question, mayor and I think it was for Mr. Arrellano. This team has done a fabulous job and I appreciate bj Wagner's assistance. I would also like to understand as we move forward what is the plan for -- for building this infrastructure in? I guess the right -- I'm not sure what right term is, but, you know, this is a -- it's an effort across three different -- two different city departments and as well

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as integral care. So there needs to be a structure of some sort that institutional eyes it into the future. That's the wrong word too. I'm not getting the words right this morning. But we need a structure, some sort of management structure within our structure as a city so that we as a council member knows who is the lead and also so that we know how to ensure that when these folks need resources they have a mechanism for bringing that to council's attention and also for asking that those -- so we're not talking about a department here. But we are talking about some kind of structure and I just want to understand

what you all envision as that structure. You don't need to answer that now, but I would like to understand that as part of this budget process. So thank you.

[11:25:42 AM]

>> Mayor Adler: Councilmember Kitchen, I also want to thank you for your leadership on this. This is one process that you brought to us and have taken it on over the last three years so it dovetails with kind of the direction and the sentiment that of the council. But thank you for your leadership on this. I think as part of that conversation as we get into the budget, the questions I was asking about resource allocation, I think would be germane to that conversation because I think it is a force multiplier phenomenon that regard. And we need to know that. Mayor pro tem. >> Alter: Thank you. This is a really important example as the mayor mentioned earlier of how we are reimagining public safety to the benefit of all of our residents. And to our staff. And I too want to thank councilmember Kitchen for really pushing forward with this. And manager, I think this is an example like with the

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critical report for the academy -- the Kroll report with the academy where we've been able to leverage best practices, expertise that's out there and adapt it for Austin in ways that are uniquely Austin so that it best meets our needs and it helps us to rethink these things. So my hope is I think this is a good example. I hope it's the Kroll report on the academy is a good example of how we're moving methodically to implement it. We're going to have a discussion at audit and finance next week on the EMS billing system which is another recommendation that comes out of one of these sort of external reports and so I think when done well these can be very useful and hopefully we will be having the report come back on the sexual assault also where we can do that. I do have a question. I want to ask you for the

[11:27:47 AM]

mental health training for dispatchers and call takers, I believe you said it was challenging to get done and I wondered if you could go a little bit deeper into what those challenges are. I think that's for the mental health call taking. >> Yes, ma'am, thank you. We originally with integral care providing instruction placed all of our operators, including our leads and our supervisors, through eight hours of mental health first aid. Since then as you all are aware we've had quite the turnover for the last two years. We have approximately 30 to 35 new employees. We're still holding at 60 vacancies. So we're operating at about a 60% staffing level. With the training and the additional training developed in coordination and collaboration with the Meadows Mental Health Policy Institute there's an additional four or five hours of training we need to

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give everyone else. The problem we have is staffing. So people are working extra. They're working extra days, they're working extra shifts in order to meet our minimum staffing levels we have to have to answer 911 calls and for police dispatchers. And any training we provide cannot be done during work because they're too busy. So the training has to be on one of their days off. And it also costs extra money because we have to pay overtime as well. So the barrier or roadblock we're seeing right now is we will not be able to move forward with this additional training until we get our staffing levels under control and we're not operating at a 60% staffing level. >> Alter: Thank you. City manager, I had a budget rider that talked about the compensation study for the call takers. Can you provide a status on that, please? >> I just saw our interim director in the room but I

[11:29:49 AM]

know it's in the coming weeks and we're hoping to get that back to myself and then council by the end of the month. >> Alter: Thank you. I think that's pretty far overdue. And it contributes to the low staffing levels that we haven't addressed compensation, and you know, it was pretty clear in looking at that data back when we looked at budget that the entry levels were too low in order to be able to recruit the numbers and the quality of staff that are required for the responsibility that it takes to be a dispatcher, just a lot of pressure. It requires a high level of thinking to be able to navigate. So I just want to -- I mentioned this to you recently in one of our conversations, but I think it is imperative that we get that study back and not just the study back, but the actions moving forward. Have there been any attempts

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to assist you? I know we've had -- we've received various memos that suggest that there are tools available to departments. Have those tools proved useful for deploying to assist with your staff at all, if you even know what I'm talking about? >> Mayor pro tem, I do not know what you're talking about. I apologize. >> Alter: Okay. So city manager, we can continue that conversation. It was my understanding that where we were at in addressing labor challenges it there were a set of tools that had been provided to all departments and those were being deployed. If our department directors are -- I'm sorry, I don't know, you're also an officer, you're not in -- you're not in uniform this morning so you're confusing us a little bit here. But how that's being conveyed down in management so that folks can be able to deploy those tools. And I may not be -- it may

[11:31:51 AM]

be packaged differently for what they're receiving and may simply be a matter of communication, but nonetheless the fact that we're not at staffing and that the compensation issues have not been addressed and it remains. >> I do remember seeing an email now. I believe that's what you're talking about with some suggestions on what department directors could do. I know the chief has met two weeks ago with hrd and there was an agreement on potential salary increases and other compensation in the form of stipends. However, I don't know where we set with that. And where we are. So we are looking at using some of those suggestions provided in the email. In the plan I hope is proposed to council or to the city manager very soon. >> Have you seen the study? >> No, ma'am, I have not.

[11:32:53 AM]

>> Okay. Ray, did you want to say something? >> Ray Arrellano, assistant city manager. So mayor pro tem, we have had that meeting that the city manager is talking about and recommendations that came from the Gallagher response. And there's some technical things that need to be done in order to address the recommendations and put them in place. So we'll come back with a report with what was recommended and how we're proceeding. >> Do you have a timing for that, please? >> I do not. I'd have to go back to the human resources department to get that information. >> Alter: City manager, I would like to see that expedited as soon as possible I know when we sent technical things off to hr they sometimes take an awfully long time and I don't think this is acceptable to continue like our 911 dispatch is amongst our most important services

[11:33:53 AM]

that we offer and we need to make sure that we're meeting their needs. Ms. Briseno. >> My understanding is human resources will have the adjustments made by the end of the month with hopes for implementation in may. >> Alter: Thank you. I appreciate having that update. If we can make sure that council is aware of that, I appreciate it. Thank you. >> Council member vela and then councilmember kitchen. >> Vela: Just a question more from the police side updates. Wondering what the police officer officers anecdotally what their response is to the mental health diversion practices that we're hearing about today? >> Eric Fitzgerald, commander at APD over the cit unit. What we're hearing from the officers, to touch on what mayor Adler said about being able to reallocate resources and

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committed time versus uncommitted time. Any calls that can be deferred to clinician where an officer does not have to show up, that's time that is clearly not committed right. They can do things like community engagement, community outreach, those things. So the ultimate goal to echo what council member Fuentes says is to -- to what council member vela said is when our communities need help and provide them not just assistance, but the appropriate assistance. If police officers don't have to respond to that call and the clinician can, that's not going to hurt our feelings. >> >> Vela: So generally speaking a positive response from patrol officers to let the mental health professionals handle these calls? >> Absolutely, sir. >> Vela: Very glad to hear. Thank you very much. >> Just one last thing. I want to thank Ken Craig on my staff. Eats been working closely with all of you and has done a great job in being a

[11:35:55 AM]

resource and assistance as this project has moved forward. So he's been our since the very beginning and I really appreciate his work on this. And mayor pro tem, thank you for highlighting the concerns about the call takers pay. I think that's critical and I'm glad do hear the progress that's being made on that. We just -- we absolutely have to ensure that we have the number of call takers we need at appropriate levels of pay. They are critical to our operation and our ability to serve the public. So just wanted to emphasize that and I know mayor pro tem has done a lot of work in this area and appreciate that. Thank you for the update. With that I think that councilmember Fuentes and I have to step out and we'll be back after our lunch

[11:36:55 AM]

engagement with constituents. >> Kelly: I just want to thank the dispatch group. I had time to get down there and see the work they do and some of the calls. It was overwhelming even for someone who was a first responder at some point in her life. I appreciate the work they do and I want to say that we have the best dispatchers ever. So thanks. >> Mayor Adler: Councilmember tovo. >> Tovo: I appreciate all of you who worked on this. And councilmember kitchen and her staff have done tremendous work on this. I want to ask a question about from the perspective of the public, if they're interacting with an individual who appears to be having a mental health issue, what would you suggest in terms of what they should do next? I can see audience members, we sometimes get calls in my

[11:37:56 AM]

office, for example, for posting. Can you please give me the phone number for the hosting? I'd like for you to step back and figure out how the public should respond to situations that allow you to use these resources since the public can't really interact with most of these teams. >> Any time there is any kind of imminent harm we are going to propose that they call 911. If there's a public safety issue we want the

police to be there to intervene. But aside from that, once police are involved or they're able to talk to these dispatchers and that's the idea to make sure that the dispatchers have this training so they can offer the guidelines to the public as far as how to respond. Generally any time there's public safety issues the police are the ones who are there and engaging, but like I said, the operators can kind of give that information as far as what to do next, those next steps. >> Tovo: But when they

[11:38:57 AM]

call 911 these days they are asked I do need fire, ems or mental health. >> Correct, fire, police or mental health. So again, like this is going to be a case-by-case basis. It depends on if the activity will be described to the operator. And like mayor pro tem said it's crucial that we get Ta staffing so we can get that training and so they're able to take that call on a case-by-case basis and discern what resources need to be sent. >> But the message to get out to the public is that they still call the same place, 911, and then the trained dispatchers on the other end are going to try to ask enough questions to determine who among our city resources is best positioned to respond. >> Absolutely. It would always be a case-by-case basis especially when there's that public safety issue, the best thing to do is to call 911. >> Tovo: But, but within 911 there are now options that didn't currently exist. >> Correct. >> Tovo: Or that didn't

[11:39:58 AM]

exist five, 10 years ago. >> Correct, especially with the addition of the fourth option of mental health. >> Tovo: Okay, super, thank you very much. >> Alter: I think this is still germane and I had another budget rider related to victim services and their compensation. Do we have a sense, Ms. Briseno, when that will be copping back. I think four of us are going out to the sex crimes unit next week to visit with folks and it would be helpful if we had that information in advance. >> Mayor pro tem, that is on the time same timeline as the 911 call takers. End of the month. >> Alter: Great. Thank you. >> Mayor Adler: Those are obviously key issues. I'm anxious to see what you're going to do on water and code and everywhere else. It's a global problem, challenge right now in this city. But I do agree that 911 and 311 is priority.

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Anything else? All right, I think that's it. Thank you all for this. This is something that we're just really all encourages by and manager it seems like whenever we have cross-discipline and department work and the city, it always yields such spectacular outcomes. So thank you, thank you to staff and integral care. So thank you. Councilmember tovo, could we handle your last item before noon? That way all we have left is then the executive session. >> Tovo: I have actually two items. 14 I think is both questions that need to be asked in here and then potentially a question that needs to be asked in executive session. So I'm going to ask my questions first about 19 and then go back to 14. 19, and I highlighted what my

question was when we postponed it at our last meeting and I don't know if there's somebody prepared here on staff to address why

[11:42:01 AM]

it is that we are proposing to lease out this space at a rent that appears to be far, far lower than market. And this is number 19, the 10 year lease with two five-year renewal options with 20 years for the escape game Austin and this is in the convention center parking garage. >> Deputy cfo. And real estate services is here as well. We actually have a newly negotiated deal as of moments ago. For this lease the renegotiation of this lease is in support of previous council direction related to

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the businesses that were negative, most negatively impacted by covid that are in city owned space. So the renegotiation supports that effort. It also helps us fill what is currently a vacant space. There was a space previously occupied by a restaurant -- a wine bar called reds and whites. They have closed so this lease will allow us to have escape room expand into that space as well as extend their lease. So with this 10 year lease it allows us a very long-term strong commitment for utilizing this space. It also provides a very popular draw for local folks as well as convention visitors in the location that's proximate to the convention center. And when it comes to the deal of the rent per square foot and improvements, the [indiscernible] That are extensive, I'll turn it over

[11:44:03 AM]

tomeric to answer those details. >> The previous council direction that I was involved with as a co-sponsor, I believe, to renegotiate leases on city owned land during covid was really to get us through that moment. As I understand this is a currently vacant space we would be allowing an existing business to get into. Can you help me understand how that relates to the previous action and help our existing businesses get through that moment where so many of them were closed? We had businesses, cookbook, for example, was not -- it was directed at some of those businesses that we're just not able to open the doors during covid. >> Right. So we. The overall direction was for us who had rent abatement, had to delay payments. So we did a comprehensive look at all of these lease spaces to address those back -- bacteria dated

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payments as well as look at the market rates per square foot cost. So we had a third-party appraiser provide a fair market value report on the different spaces, their uses, give us ranges on what rent should be charged depending on the uses, what things we should be considering around tenant improvements and various other aspects of a lease deal. From that report that we did previously and this lease is in alignment those values and that approach. >> Tovo: I'm sorry that so many of our colleagues are off the dais at this moment because to me this is really a policy question about as I see it, would you -- maybe this is a question for real estate. Nineteen dollars a square foot doesn't really seem to be a fair market value for downtown. And I think it is a policy question.

[11:46:05 AM]

If we want to support groups like urban roots as we have and allow them a very low cost rent on a piece of city property, that's one kind of decision. With our downtown properties I'm not sure-- I guess I would really have to ask the question of why we would be substantially discounting our rent in our central business district? >> I'd like to to ask Cole American from our resource team to be able to speak to that specifically. >> I'm here. Good morning, council members. So just a little bit more information on this particular space because this new lease actually involves two suites, two different suites, the escape game room which has a current lease which expires on June 30th, 2025 and also the old space occupied by Texas reds and whites and that lease -- Texas reds and whites paid only \$15 per

[11:47:07 AM]

square foot and their lease was going to expire this August. Unfortunately they terminated early. And escape game currently pays \$17.25 per square foot. They're occupying 5,700 square feet and the suite of reds and whites of 4,000 square feet. And the comparable rates from the report were between \$21 to \$36 with two and a half to three and a half percent escalation. When we brought this item to council we still couldn't agree with the owner of escape game about the potential escalations, but we had a follow-up meeting this morning and the deal has changed significantly. If we are willing to honor the existing lease for the

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escape game, the initial suite at the current rent. And then the owner is willing to take over the reds and whites space and pay the market rent of \$21 a square foot, the difference is significant. When we evaluate a third-party with an appraiser, evaluate the spaces for a convention center, each space was analyzed individually and for example, the space was valued as a restaurant and the escape game as a retail space and it was the adjusted rent was \$15 and for reds and whites was \$21. So based on this

conversation with the owner, we would like to propose to the council a deal that would combine the spaces and allow the owner for the next four years on the escape game pays and back on the

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new space we'll go to the new market rent of [indiscernible] Dollars. There will be no rent abatement. Right now escape game still has \$21,000 remaining in the rent and they're paying in monthly installments. Also, they're going to invest in the new space in the buildup, in the buildup and general contractor costs approximately \$750,000 on the new space. And additional 200,000 in [indiscernible]. And we would be trying to do is combine these two spaces into the one lease and match the expiration for those -- match the expiration for those terms. I believe this new proposed lease is much more favorable to the taxpayers than the terms which we had previously. >> Tovo: Thank you.

[11:50:18 AM]

I think I will need all those details details in writing. You cut in out and in some key areas, but I think I understand your summation is this is a better deal for the taxpayers and so I appreciate you continuing to work on it to get there. I still have some concerns if our -- while I'm sensitive to what you said is it's the valuation at a higher level at that higher level of the spectrum is most appropriate for restaurants and this isn't a restaurant, but the fact is if we didn't rent it to the escape game we might be able to get another restaurant in that space for the higher level. And as we're -- one of the things on our mind as we approach the budget session this summer and into the future is that we are in some really dire financial straits and we can't afford to be subsidizing commercial lease space unless there's really substantial policy reason for doing so. I'm not really hearing a

[11:51:18 AM]

substantial reason for despising this particular business or this particular space. So I want to make sure that we're really getting the highest market value we possibly can for these two spaces. So thank you for if you could capture that in an email or something that we could look at it. I think what you understood is that the one space would remain at its current level of rent which I think is \$17 and 50 cents. >> 17 cents .25 dollars. >> So it's less than on the agenda, but the other space would be \$21. >> Yes, council member. >> Tovo: And some of the rates I had been quoted were \$45 for commercial space in downtown so I need to understand why the independent appraiser only maxed out at \$36 rather than that 45 and also again why we wouldn't pay for tenants who could pay that 46 rather

[11:52:18 AM]

than a substantial decrease here? >> If I may answer on those questions. Also, we as a landlord we do not provide any tenant improvement allowance. And all these other Koch R. Comparables were ten dollars to \$28 per square foot in improvement allowance, which is -- would come between 71, \$270,000 for rent space. Also those other comparables were offering a commission of four percent and typically when the resource space drives higher annual rent there's also an additional component for the buildout which is amortized during the term of the lease. And we do not offer those congestions to our attendant. So we don't provide any tenant improvement allowance. We don't pay any leasing

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commissions and we do not amortize an additional buildout which the tenants will pay for the buildings. >> Tovo: Thank you. What is the best way for us to get that information? Are my questions clear or do you need time to submit them? >> Council member, eve asked staff to take the questions and summarize them in a memo and get them to you and to council. >> Tovo: Thank you. >> Mayor Adler: Sounds like the missing part is the professional work, the comps associated with that. I don't know if there's a way to daylight that so that councilmember tovo can see exactly the comparables that they're relying on and see how the appraiser calculated the market value. >> Tovo: And the cost benefit. I assume they've run a cost benefit to know that not paying for the tenant improvements and the commission is worth it over the extent of this lease. And I would say, yes, thank you, I think that will be useful to me and I hope it

[11:54:19 AM]

will be useful to others because again, I think we next slide to all be thinking about how we maximize the assets of the city at a time with such budget scarcity. Thank you very much. And this conversation is going to help inform I think how we want to direct the manager to proceed with leases and sales and I think these questions that we're all asking important because we were on consent prepared to take action on a [indiscernible] Lease. >> Mayor Adler: Mayor pro tem. >> Alter: Thank you, councilmember tovo, for really driving into this. We had tried to meet with them before the last council meeting or whenever we postponed it and were told that all this information as I understand it would be coming out in different answers. So I would like to see this. I have questions about the abatement.

[11:55:19 AM]

I don't understand how -- how they're getting an abatement on their existing space, but I can't tell from what you're saying if that's no longer part of the discussion. >> [Indiscernible]. However, it was related

to the council resolution which was adopted in August 2020 and as it relates to rent departments and going back to the department. So that was market driven. >> Alter: Okay. I'm still not -- given where we are now, I'm not understanding that and it's part of the deal so it's not so moot. When you provide that memo if you could be clear about what they're paying. Currently I think it's for the 405 red refer property because the information we were given was kind of combined and I'm increasing that will be natural since

[11:56:20 AM]

you're basically keeping a lease they have on one property and then adding the other. So if you could include some of that information in this memo and I was not aware of sort of the 750,000 in improvements they're putting in, but again that essentially means ripping out the kitchen which some other group could use and it is hard to open a restaurant in Austin without labor and I don't know if a restaurant could go in there and succeed in that location. But it would feel more comfortable having that addressed in an appropriate fashion. So thank you, councilmember tovo, for raising it. >> Mayor Adler: Councilmember tovo. >> Tovo: Since it's come up a couple of times, I wonder if we could get an update on -- it's now not clear to me at all whether we're continue to go abate some of the rent for businesses that are located

[11:57:21 AM]

on city hall or whether that has ceased. So I think it might be a good idea to just get an update on which business has received rental abatement during that period of time. Are those continuing and do we need to do something if we wanted to to halt that moving forward. It seems like at this point you probably don't want that to continue to be the practice. >> Mayor Adler: All right. So on item number 14, we're going to pick up that legal question on Thursday. I wanted to make sure you articulated the question as well so they can be ready. >> Mayor, if I may, I think that some of the questions the council member has made would be justice are we doing the lease extension for the [indiscernible]. I know there was a memo that came out and I'm happy to answer questions that you might have on the things that would require legal discussion. So we might be able to resolve that between now and Thursday. >> Mayor Adler: Okay. Let us know and we can save it if it's needed.

[11:58:21 AM]

>> Tovo: Could I air my questions? Part of why I -- part of our work session is to sort of have conversations across the dais and this is a -- some of the questions that I intend to talk with staff about I guess off the dais are -- we are trying to get away from leasing space and so the questions I have for staff are I understand that the negotiations for the owned tract as described in the memo didn't succeed

and I do want to talk in executive session about why that was the case. And whether there were any other sites that were contemplated that might be -- that might be able to be pursued. That would be ownership tracts. I'm also interested I guess in an open session or outside of this meeting in having conversations around what other tracts, what other city-owned tracts were considered. And other things along those lines. I think I had a list of questions.

[11:59:27 AM]

You know, sometimes as a council -- and I appreciate that sometimes when we pull items, manager, you have our staff -- you know, you have your staff immediately reach out to us on Monday night or first thing Tuesday morning to try to resolve those, and sometimes that's useful, and sometimes we can do that, but often we pull things for conversations across the dais. So this is -- I think this and the other property items, these are things we need to, as a council, really figure out what we want to deal with and what the policies are going to be. >> Mayor Adler: Okay. >> Tovo: Not to mention that sometimes by that point, we all have schedules that are completely booked -- you know, we're here all day Tuesday, we may have booked up all day Wednesday, so it's not really feasible to try to schedule lots of meetings with staff about the items that we have questions on. >> Mayor Adler: Mayor pro tem. >> Alter: Thank you. Like you, council member tovo, I'm paying a lot of time to leasing and zoning. My understanding was that this is an amendment to support what

[12:00:28 PM]

they need until a new warehouse facility is built, and I don't know if it's been submitted yet, but I have asked my staff to submit a question asking them to provide details about the plans and status thereof to build a new warehouse facility. So, it is possible that we have a plan for that end game, which was not fully explained in the rca, although it was signaled, and I think we need more information about -- we need more information about how far along that plan is and whatnot, and I'm going to need to see that, you know, before I'm going to be comfortable ok'ing the lease. >> Tovo: Yeah, I think some of that was addressed in the memo, that they were -- I assume there's a plan, because they were in the process of purchasing a tract. So that's one of the reasons why I want to understand -- >> Where is that memo?

[12:01:29 PM]

>> Tovo: Actually, I have two copies, so I'll give you one. It was a very short memo. It said the negotiations to purchase the track fell through, so they've had to extend the lease on this particular tract. >> Mayor Adler: Pio? >> Renteria: Yes. My understanding, it's the old motorola. It's a huge piece of land there in east Austin in district 1. And it abuts to the future green line. I know that I had some conversation with the developer there. And they're proposing to go out 600 feet there and provide

some community benefits, and my understanding is that he wanted a little bit more -- a lot more than they first sat down and negotiated on. And I don't think we're in a position right now to be paying that type of money. And that's the understanding,

[12:02:30 PM]

the department leads. So we desperately need another location, and I hope that we don't delay this so much that we're going to be stuck with the old place, which they have to move out anyway, because we're going to develop that area into affordable housing. So, yes, let's really work on that quickly and get that information. I encourage the department to make a presentation Thursday, so that we can get that information and make a decision. I'm afraid that we might just lose the opportunity if we don't, and we're going to have a department that doesn't have a place to get to. >> Mayor Adler: Okay, thank you. These were all the pulled items that we have. Let's take a lunch break and come back at 1:00. That will give our colleagues a chance to be able to join us in the executive session. Take a look, there's an email from hr with respect to the

[12:03:32 PM]

personnel matters. But we're going to go into closed session to take up five items. Pursuant to 551.071, we're going to discuss legal issues related to items e2 and e3. 2022 labor negotiations. Pursuant to 551 scmplnt -- e4, e5, and e6, performance and compensation benefits for the auditor and municipal court clerk. E1 is going to be taken up on Thursday, April 21st, 2022, during the regular city council meeting. Without objection, we'll see you all online for executive session at 1:00. >> Are we not doing the contract item today? Or did you say that? >> Mayor Adler: Which -- the employment -- that is E 3. >> Alter: Okay, thank you.

[3:56:21 PM]

Test.

[4:07:45 PM]

>> All right, we are out of closed session. In closed session we discussed legal issues related to item e3. And we also discussed personal issues related to items e4, e5, and e6. E1 and e2 will be discussed on

Thursday April 19th, 2022. And with that here on April -- April 19th, 2022, I am going to adjourn the city council meeting at 4:08. Thank you very much.