

City Council Regular Meeting Transcript – 04/21/2022

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[10:10:37 AM]

>> So, here on Thursday, April 21st, 2022, just a couple days before my anniversary -- hi, Diane, I hope you're not watching. We're going to convene the Austin city council meeting. We are broadcasting here from the Austin city council chambers. Councilmember pool is absent from the dais this week on a trip that was delayed by covid. The rest of us are present and in person. So, good to see critical mass back here today that way. Colleagues, our consent agenda today is items 1-26 and 55-59.

[10:11:41 AM]

We have -- I think it was something like 46 speakers in the morning, but 16 of them are here to speak on item 33, which we have said is being -- going to be postponed, and, therefore, the only testimony's going to be on the question of postponement. So, rather than go to a minute for all speakers, we told people it would be two minutes per speaker this morning, except for the people speaking on 33, because it's just postponement, then they would have a minute. That way we can give a little bit more time to the balance of the speakers. So, we'll get to the speakers in just a second.

>> Mayor.

>> Mayor Adler: On the consent agenda -- sorry?

>> I have a quick question for clarity. In the past we've often just heard when it's a postponement, just heard someone advocating

[10:12:41 AM]

for a postponement and someone advocating against the postponement. Is that your intention today, or is it your intention to hear anybody who wants to speak to a postponement?

>> Mayor Adler: That's a good reminder. I'm not sure that under the state law we're allowed to do one of each if it's an action to postponement, we have to give people a chance to speak. So for that reason -- but it's going to be one minute on that and two minutes on the other. And this afternoon, zoning speakers, I think we had 16 or something. They're going to get three minutes each. Councilmember kitchen?

>> Kitchen: Mayor, yes, I think that for the speakers who may be here or may be listening, I think Tuesday's work session made it clear that we are talking about postponing to June 9th for item 33. So, people should also understand that they don't have to speak today. That doesn't preclude them from speaking at future conversations.

>> Mayor Adler: And there may

[10:13:42 AM]

be multiple ones. We agreed we wouldn't set 33 for action until June 9th. We also said it would be set, dependent on the work session on the 17th for discussion. If time allowed on that meeting, we could list it for discussion only, no action that day, and invite the public to speak. But we can make that decision as we get closer to that as well.

>> Kitchen: Thanks for that reminder. We had a lot of conversation in our work session that we wanted to provide multiple opportunities for discussion with the community on that item. So you're right, that's a good reminder for folks that there will be lots of opportunities to talk about the contents of the item itself, so.

>> Mayor Adler: So the other item that we have on the agenda -- there's been a request to postpone posted on the

[10:14:42 AM]

message board, I saw. Councilmember Kelly on item number 16, joined by some others, asking for more information. You point out accurately that there's a lot of misinformation out on that right now. There are about 30 different groups in the city, advocacy groups that want the opportunity to be able to help with correcting that, so I think it's important to give them time to do that. And legal has stepped forward and suggested that perhaps there are some things we should put into that resolution that might be helpful. So for all of those reasons, I'm going to -- it's been pulled for executive session. Let's leave it pulled for executive session so that we can discuss any issues there, but after executive session I'm going to move that we postpone this item for two weeks. I'm going to speak to it briefly.

[10:15:42 AM]

And I think that councilmember Fuentes wants to as well. But speakers should also know today we're not going to be voting on the merits on item number 16 either. So the testimony on item number 16 should also go to whether or not the item should be postponed. So, people that are being called on item number 16 will have one minute to speak. People who are being called on item 33 will have one minute to speak. People being called on everything else will speak for two minutes. The substantive conversation on those will happen later. Okay? Colleagues, let me read the changes and corrections in here real fast. Item number 3, on April 19th, 2022 this was recommended by the resource management commission 9-0 vote with commissioner chaveria absent.

[10:16:45 AM]

Items 3 and 14 on April 11th, 2022 recommended by the electric utility commission, 9-0, with two commissioners absent. On items 19 and items 10, on April 13th, 2022, recommended by the wastewater commission on a 9-0 vote with commissioner fisher absent and one vacancy. Item number 13 is withdrawn and replaced by item 57. Item number 18 is withdrawn. Item number 19 is going to be postponement to no later -- postponed to no later than may 19th, 2022. Something that is not noted on changes and corrections is that on item number 58, councilmember vela's motion on the issue should be noted that councilmember Fuentes has been added as a cosponsor.

[10:17:47 AM]

On item number 59 it should be noted it says councilmember Fuentes' resolution with respect to food insecurity. It should note that I have been listed as a cosponsor. On changes and corrections it says that councilmember Fuentes is added as a cosponsor. That's not correct. It's her resolution. That was supposed to be 58. And that was the change we just noted a moment ago. Items that have been pulled off the consent agenda, item number 16, which we'll address in executive session and then we will postpone for two weeks. Item number 33, people may address that but that will also be something that gets postponed. The item itself will be postponed to June 9th, but we're going to set it on the 17th and/or 19th for discussion only. On item number 59, that has been

[10:18:52 AM]

pulled by councilmember Kelly.

>> Mayor.

>> Mayor Adler: Yes.

>> On item 59, I have what I consider to be a friendly amendment. We can keep it on consent if the amendment is, I guess, accepted by the author of the resolution.

>> Mayor Adler: And it's okay with you -- that was the amendment that was handed out to everybody to include a map of Austin area schools that provide free and reduced programs. Does anybody have objection to that amendment being added? Hearing none, that amendment is added to 59. It will remain on the consent calendar. Unless anybody has anything else -- councilmember kitchen.

>> Kitchen: I'm not sure if I heard you, but my sheet notes item 23 has been pulled for executive session?

>> Mayor Adler: On item number 23, let's do this. I understand this item has been pulled in order to consider -- to talk about an appointment to the planning commission.

[10:19:53 AM]

>> Kitchen: Okay.

>> Mayor Adler: All right? So let's divide that item. Let's keep item number 23 as to all of the other nominations other than the planning commission on consent, but we will divide the question. The vote on the planning commission member we'll hold after executive session.

>> Kitchen: Okay. Thank you.

>> Mayor Adler: So the items I have being pulled are items 16 and 23. All right. Are we ready to hear speakers?

>> Tovo: Mayor, I am also pulling an item to be determined. Let's see. 5.

>> Mayor Adler: Item 5, okay.

>> Tovo: It may be able to be left on consent but I need to highlight a few concerns that I think we can adjust after passage here today. But I do need to raise them.

[10:20:53 AM]

>> Mayor Adler: We'll let you comment on that, if it's to identify things we should address after passage. Let's leave it on consent. You can speak to it.

>> Tovo: I may have a couple questions that are part of it.

>> Mayor Adler: Okay. Then let's pull it and we'll come back to it.

>> Tovo: Okay.

>> Mayor Adler: Maybe we can do that really quickly right after we do consent. We have a lot of speakers here this morning. Let's go ahead and get started. I'm going to ask the clerk to call the speakers. They have asked to do that, it makes it easier for them if they do the calling, so I'm fine with that. I think we have two speakers inside here that need an interpreter. I think we have one speaker remotely that needs an interpreter. So we'll call those three first if that works. And then we'll call the balance of the speakers that are here in person. And then we will go to those that are remote. Again, everybody has two minutes except for people speaking to item number 16 and item

[10:21:55 AM]

number 33, because both those are going to be postponed. The substantive conversation will happen later, on a different day. Those people will have only one minute each. All right. To you, clerk.

>> Thank you, mayor. The first speaker is Jose Jimenez. And on deck is Claudia Dominguez.

[Off mic]

>> Mayor Adler: And if you have numbers that they've signed up to speak, if you could tell us that.

>> Of course. This is for item 58.

>> Mayor Adler: Thank you.

>> Hello, good morning, my name is Jose.

>> [Speaking Spanish]

>> We come here to ask for help.

>> [Speaking Spanish]

>> Because in the apartments where we live right now --

>> [Speaking Spanish]

[10:22:56 AM]

>> The owner sold the apartments to a new owner.

>> [Speaking Spanish]

>> And this new owner wants us to -- to evict us.

>> [Speaking Spanish]

>> And the truth is that I understand he is the owner.

>> [Speaking Spanish]

>> But right now here in Austin --

>> [Speaking Spanish]

>> It is easier to find a pearl, a sea pearl, than an apartment.

>> [Speaking Spanish]

>> There are apartments.

>> [Speaking Spanish]

>> But they are too expensive.

>> [Speaking Spanish]

>> They ask for too many requirements.

>> [Speaking Spanish]

>> And due to the coronavirus pandemic --

>> [Speaking Spanish]

>> In my personal case, I got sick.

>> [Speaking Spanish]

[10:23:57 AM]

>> And I spent a year sick, sick, due to the coronavirus.
>> [Speaking Spanish]
>> But thankfully -- [speaking Spanish]?
>> [Speaking Spanish]
>> Austin/travis county helped me pay for rent.
>> [Speaking Spanish]
>> Because I was sick.
>> [Speaking Spanish]
>> This person that wants to evict us --
>> [Speaking Spanish]
>> Didn't do the things right.
>> [Speaking Spanish]
>> And the then why is he should have given us a notice to make a meeting with us and tell us, I'm going to give you some time --
>> [Speaking Spanish]

[10:24:58 AM]

>> And maybe some help --
>> [Speaking Spanish]
>> And he would be saving all this.
>> [Speaking Spanish]
>> But he did it his way.
>> [Speaking Spanish]
>> Well, but he's right, right?
>> [Speaking Spanish]
>> Because if I am the owner of a property, well, I can do whatever I want, because I am the owner of the property.
>> [Speaking Spanish]
>> But in the United States, there is justice.
>> [Speaking Spanish]
>> And we want to see if you can help us.
>> [Speaking Spanish]
>> With the package, how do you call, relocation?
>> And some help, you know.
>> [Speaking Spanish]
>> Because in my personal case,

[10:25:58 AM]

I take care of my mother.
>> [Speaking Spanish]
>> And she's almost 70 years old.
>> [Speaking Spanish]
>> And it feels really bad, you know. I fear the fact to think that --
>> [Speaking Spanish]
>> I'm going to end up living under a bridge.

>> [Speaking Spanish]
>> Because right now, I'm not really working.
>> [Speaking Spanish]
[Buzzer sounding]
>> The coronavirus left something in the heart. Sorry, time is up.
>> Yeah.
>> [Speaking Spanish]
>> And due to the fact that thinking about my mother, the stress that I'm having about thinking that I'm going to be evicted, that I don't have money --

[10:27:00 AM]

>> [Speaking Spanish]
>> And I'm always stressed.
>> [Speaking Spanish]
>> I have ended up in the hospital five times.
>> [Speaking Spanish]
>> With ambulance, with heart problems.
>> [Speaking Spanish]
>> Due to the side effects of covid.
>> [Speaking Spanish]
>> And more with what we are having to deal with right now.
>> [Speaking Spanish]
>> Claudia Dominguez, item 58. And up next, marciela Casas.
>> [Speaking Spanish]
>> Okay.
[Speaking Spanish]
>> Hello, good morning, my name is California. Claudia Dominguez. I've been in Texas for 32 years.

[10:28:04 AM]

And I worry about what the new owner is doing.
>> [Speaking Spanish]
>> And he's stressing me out, the little time that he's giving us to get out of the apartment.
>> [Speaking Spanish]
>> And I have a daughter who is 14 years old.
>> [Speaking Spanish]
>> And what I'm asking you guys is to help us get more time in order to move out.
>> [Speaking Spanish]
>> In order to be able to move our things.
>> [Speaking Spanish]
>> Because everything is going really fast.
>> [Speaking Spanish]
>> And my daughter -- I'm worried about my daughter because she's getting very stressed out about what's going on with her school.
>> [Speaking Spanish]
>> And I want her to be calm.
>> [Speaking Spanish]

>> And I really need more time

[10:29:05 AM]

to move.

>> [Speaking Spanish]

>> That's all that I have to say. Gracias.

>> Marciela Casas.

>> Michael -- see if you can get a referral.

>> [Speaking Spanish]

>> Hello, good morning, my name is marciela.

>> [Speaking Spanish]

>> And I came here to tell you my experience of how it felt to live all these years in the Santa fe apartments.

>> [Speaking Spanish]

>> I've been living there for ten years.

>> [Speaking Spanish]

>> And I have a son who is

[10:30:07 AM]

autistic.

>> [Speaking Spanish]

>> Out of the blue one day, construction workers arrived.

>> [Speaking Spanish]

>> And they started taking the cabinets, the bathtub, and the sink of my neighbor next-door.

>> [Speaking Spanish]

>> And out of the blue they started tearing down walls and floors.

>> [Speaking Spanish]

>> Making a lot of noise.

>> [Speaking Spanish]

>> And as a consequence, my son complained a lot of suffering a lot of headaches.

>> [Speaking Spanish]

>> He would cover his ears and would say, "Mom, it hurts, it hurts a lot."

>> [Speaking Spanish]

>> He would scream and cry.

>> [Speaking Spanish]

[10:31:10 AM]

>> And me, out of desperation, what I did is that I took him out to walk outside.

>> [Speaking Spanish]

>> But these men doing their job way too late at night.

>> [Speaking Spanish]

>> It was a very terrible day.

>> [Speaking Spanish]

>> It's very sad to live that way.

>> [Speaking Spanish]

>> Because we never got a notification.
>> [Speaking Spanish]
>> And we were not -- we are not ready to move out to another apartment.
>> [Speaking Spanish]
>> My son will be the most affected.
>> [Speaking Spanish]
>> So many changes.
>> [Speaking Spanish]
>> Because he will change school, he will change his new house.
>> [Speaking Spanish]
>> And the specialist of autism that he has told me that he was going to be affected very much

[10:32:14 AM]

by all these changes.
>> [Speaking Spanish]
>> And this could complicate even more his condition.
>> [Speaking Spanish]
>> And as a mother, this worries me a lot.
>> [Speaking Spanish]
>> And this is why I'm asking, please, please consider the new ordinance of relocation. Please, please.
Thank you.
>> The next Spanish speaker is remote. Novia Castillo, item 59.
>> [Speaking Spanish]
>> Good morning. My name is novia Castillo.
>> [Speaking Spanish]
>> I live in the 4th floor and I approve -- the interpreter has a

[10:33:14 AM]

hard time listening to the speaker. Can somebody increase the volume, please?
[Speaking Spanish]
>> [Speaking Spanish]
>> I live in district number 4, and I approve, and I support the proposal 54.
>> [Speaking Spanish]
>> I'm so sorry. The interpreter has a very hard time. I cannot understand where she works.
[Off mic]
>> What do you want me to ask her, please? To speak higher?
[Speaking Spanish]

[10:34:19 AM]

>> Okay.
[Speaking Spanish]
>> I work as a person that drives around bringing groceries, but the interpreter cannot understand the rest of the sentence.
>> She said she's with gave.
>> Oh. She's with gave, go Austin.

[Speaking Spanish]

>> Mayor Adler: Part of the issue may be that the sound is resonating back there. It might actually be clearer if you were up here. So why don't you come up and sit here.

>> I will.

[Laughing]

>> Mayor Adler: You can join us on the council. We'll call some really quick votes here.

[Off mic]

>> You can sit here. The microphone is on. Just turn it off when you're --

>> Say that again?

>> This microphone is on. We'll just turn it off when you're done.

[10:35:20 AM]

>> Okay.

[Speaking Spanish]

>> [Speaking Spanish]

>> Oh. I work with Austin in collaboration with urban roots.

>> [Speaking Spanish]

>> It allowed me to reconnect with a lot of residents.

>> [Speaking Spanish]

>> The living area that they have, they are not -- they don't know if they can receive food. Insecurity, food insecurities.

>> [Speaking Spanish]

>> And many of these residents --

>> [Speaking Spanish]

[10:36:23 AM]

>> Depend on grocery stores that are located in the corners or \$1 stores.

>> [Speaking Spanish]

>> If we had buses that would go around the communities --

>> [Speaking Spanish]

>> The use of the transportation will help all those residents.

>> [Speaking Spanish]

>> To have healthy food in closer reach, an easier way to get healthy food.

>> [Speaking Spanish]

>> This could help more residents.

>> [Speaking Spanish]

[10:37:23 AM]

>> If they have a point of distribution closer to them.

>> [Speaking Spanish]

>> In a place to meet the residents.

>> [Speaking Spanish]

>> In order for them to get food.

>> [Speaking Spanish]

>> As well as grocery stores and food banks.

>> [Speaking Spanish]
>> As well as places where they can grow their food.
>> [Speaking Spanish]

[10:38:26 AM]

>> In local forms like urban roots -- local farms.
>> [Speaking Spanish]
>> We have to remember to support those communities like my own, and the communities of other residents.
>> [Speaking Spanish]
>> By the fact that they have food insecurities and they do not have easy access to healthy food.
>> [Speaking Spanish]
>> One more time, I am supporting the proposal 59. Thank you.
>> Mayor Adler: Gracias. Thank you. Thank you very much, interpreter.
>> Returning to in-person speakers, the next several are

[10:39:27 AM]

for item 16. So, speaking on the merits of postponement, William Webb. Up next, Paul Robbins.
>> Mayor Adler: Either speaker here? Paul, come on up. Who's on deck?
>> Alex stringer.
>> Mayor Adler: Thank you.
>> Mayor, before I start, I have -- I try to be responsible when I speak on items. And I have asked numerous times for a couple simple questions to be answered about this proposal. And the city has not answered it. Simply put, I would like to know

[10:40:27 AM]

if this proposed program will income qualify people or if it's automatic enrollment or if it's a lottery. How are these people being selected?
>> Mayor Adler: Okay. We'll make sure that question is answered before we vote. So --
>> All right. Let me give you my one-minute version.
>> Mayor Adler: I think the answer is at this point it hasn't been determined, because the city staff was asking for the authority to be able to engage with the vendor, the provider who helped with the R.I.S.E. Program to be able to establish -- obviously it can't be everybody who might want it. There's so few spots.
>> Okay. In my brief minute, please start the timer. Everyone on this dais knows I've been challenging Austin energy's irresponsible automatic enrollment program for utility customer assistance.

[10:41:28 AM]

In some cases, the utility enrolls wealthy people into a program meant to help the poor on their utility bills. If these families are indeed being income-qualified in this new program, will you have a double standard? On the one hand, you will have an experimental program of \$1 million with enrollment screens. On the other, a flagship program with a budget of \$19 million that is sometimes enrolling people that own mansions and multiple properties. To summarize, no double standards. You need to income-qualify participants in both of these programs. Thank you.

>> Mayor Adler: Thank you. Didn't quite address the question of whether or not we should postpone the matter, because that's the question before the council today here on item number 16. It's been moved to postpone this item for two weeks until next

[10:42:30 AM]

week. Mr. Stringer, I think you're the next speaker, and you have the opportunity to speak on whether or not this should be postponed.

>> Good morning, guys. I'd like to say you guys are really good at spending money that you don't have. So why not use that money to give to oppress minorities? And as a Jew, I am the most oppressed person here, so pay me. And you know the people they talk about oh, we've got to fix the roads. We've got to clean up the potholes. Well, you're a racist. And you may as well have been storming the capitol with those qanons on January 6th if you're going to speak this way. I digress. We need rules. In order to qualify for ubi you need to be up to date on all your vaccines and you should also not be allowed to criticize the government in any capacity. Furthermore, your ubi should be connected to a central bank digital currency so we can

[10:43:31 AM]

really ensure that you are compliant with this new world order that we are trying to create, because we are a Progressive city. None of this Bitcoin stuff, guys.

[Buzzer sounding]

>> Thank you very much. This is not our money, it is your money, Steve. We have to remember that. Thank you. We need ubi. Pay me.

>> For the postponement of 16, don Zimmerman. For item 69, Erica Reyes.

>> Mayor Adler: Mr. Zimmerman, are you here? Do you want to speak to the postponement? Next speaker.

>> Okay. Erica Reyes, item 59. Up next, Monica Guzman.

>> Good morning. I'm Erica Reyes, organizer for go Austin, vamos Austin, here to speak on supporting item 59. We support the resolution connecting transit-dependent residents to routes taking them to grocery stores, food pantries, farmer's markets, and local farms like urban roots.

[10:44:31 AM]

We encourage participation of the city of Austin office of sustainability that has already done food mapping with inclusion of resident leaders directly impacted by food insecurity. We are aware of the circulator pilot. This and other transit desert communities will benefit from neighborhood circulators. Supporting residents' access to healthy food options. Austin eastern crescent communities are disproportionately affected by food insecurity and often have limited access to fresh foods, which leads community members to rely on corner and dollar stores within walking distance and cheap fast foods that contain little knew traditional value -- nutritional value. Prioritizing health and bringing down racism fueling food insecurity is long overdue. Thank you.

>> Mayor Adler: Thank you.

>> Monica Guzman speaking on several items. Following will be item 33 for Chris afanido.

>> Mayor Adler: You have two

[10:45:31 AM]

minutes.

>> Good morning, policy director, go austin/vamos Austin, district 4 resident. A quick note about item 58, thank you for adding the repair services. I think council should expand it further. I can give an example in district 4. We have a lot of motels along the interstate and one of them a couple of years ago was purchased to be revamped into an apartment complex. It did not trigger for the relocation assistance. Luckily I was at a neighborhood association meeting when the question came up because I was part of the workforce group that helped develop that policy. I had a conversation with the developer rep and the developer made it happen voluntarily. I would really like you to consider including those kind of triggers. We have residents who live in motels. So when they are redeveloped into something else, anything else, they are just out of luck. Regarding item 16, we've heard you all acknowledge residents struggling speaking about rising costs of living, wanting to

[10:46:33 AM]

ensure Austin is not a playground for the rich. There's no reason to delay this, the platform has a record of collecting data points that demonstrate positive outcomes, all of which are beneficial to public interest -- housing, early childcare, education, workforce development, healthcare and preventive activities. They are all social determinants which you as council invest in the general budget. We have the data, we have a track record. The metrics are not hard to set and clarify. People need help now. We urge you to support this. Thank you.

>> Mayor Adler: Thank you.

[Clapping]

>> The next several speakers will be speaking on the merits of postponement for item 33. The first is Chris Afanido and then Daniel Cableman.

>> Mayor Adler: Either of those folks want to speak to the postponement question? Not the merits of the issue, but whether or not this should be postponed. Was your name called?

[10:47:33 AM]

>> I'm Daniel.

>> Mayor Adler: Come on up. By the way, colleagues and public, item number 30, which was the Austin housing public facility corporation item has been withdrawn by staff. We don't have all the documentation or information materials we need. So item number 30 is being postponed -- or rather, it's being withdrawn. So there's no action taken on that today. So there will be no speakers on item number 30. Go ahead, sir.

>> Mayor Adler, mayor pro tem alter, council, thank you for the opportunity to speak. Austin is in the midst of a severe housing crisis. I'm here to speak against a postponement of the discussion and vote on the VMU2 ordinance and ask that councilmembers act sooner rather than later on housing policy. If done right, with by right development, no parking and no compatibility requirements this could add many units. The postponement today is a choice to maintain the status quo. If you agree with the idea that

[10:48:33 AM]

the city should prioritize climate change and compact cities, we took a look at the census data between 2010-20, 480 people a month have not been able to live in the city of Austin. If we would like to have half of the regional growth in the city. There are consequences to delay. There have been many years of meeting with the community and incumbent homeowners. I am here as a community member to tell

you what is needed is not more meetings, not more delays. What is needed is urgent action to address the housing crisis. Thank you very much.

[Buzzer sounding]

>> Mayor Adler: Thank you.

>> Jay Crossley and then Judah rice.

>> Mayor Adler: Also on items . . .

>> Postponement for 33.

>> Mayor Adler: 33. Anybody want to speak to the postponement? All right. Next speakers.

>> Okay. A few more again on the postponement of 33. Kilan, Mario Cantu.

[10:49:43 AM]

>> Good morning, mayor, councilmembers, and staff. Thank you for having me up here. I am frankly against the decision to postpone the vmu item 33. And this is mainly because it's very evident that the demand for housing is going up and the supply is not meeting that demand. And what's important to know is that as this gap is getting larger, it's affecting first the low-income families that aren't able to afford the hiking up prices due to the separation of supply and demand, as well as many of our high school and college graduates who have to make that choice to -- whether to live in the city as it's getting more expensive, or to move out. But it's important to note that we are here right now. And we want to make these big

[10:50:43 AM]

changes to housing development to be able to prevent that gap from getting larger.

[Buzzer sounding]

>> Mayor Adler: Thank you very much.

>> Greg Anderson, Zachary fatis.

>> Mayor Adler: Anybody here to speak?

>> Okay.

>> Mayor Adler: Hang on.

>> Sorry.

>> Mayor Adler: Greg Anderson.

>> Kitchen: Mario Cantu was next.

>> Mayor Adler: Oh, Mario Cantu.

>> Good morning, council. This needs to be postponed. The reason why is Ann kitchen, mayor Adler, Kathie tovo and Pio, you're not -- y'all are experienced in this. Y'all have worked on codenext. I was around when it was a million dollars. We didn't have any community engagement. A while ago you heard from someone that mentioned they were for it. There's a lot of IFS. I heard the word IFS. We're at the IFS again.

[10:51:45 AM]

And we need to make sure that we're going to actually really have some affordable housing on this. Speaker number 1 that was up here it's the same story that I hear over and over and then Paul talked about energy. These are issues that are on-going. There was a councilmember that was here about three weeks ago that had -- that was a little upset about an applicant not -- coming into her area and not being notified about what was going on. And that wasn't right. And that's respectable. Well, there's a lot of citizens here in Austin that feel the same way.

[Buzzer sounding]

>> And so, respect us as well. Thank you.

>> Mayor Adler: Thank you.

[Clapping]

>> Mayor Adler: Mr. Anderson.

>> Hey, mayor, council. So, we just heard from a speaker who shared that it's easier to find a sea pearl than it is an apartment in Austin, Texas. We see the news. Median family of four, their fmi

[10:52:47 AM]

is 11.5% in one year. Prices of the average median family home over 600,000. It doesn't feel like we have the luxury of time. Vmu is producing a fraction of what it could if we valued housing over fear of change. Housing is never incompatible with housing. Please take the hard votes and please let's not watch more high school and college students get priced out of Austin. Thank you.

>> Mayor Adler: After Mr. Anderson, who's the next speaker?

>> Zachary and Jonathan, still on item 33 for the postponement.

>> Mayor Adler: Okay. Are they here to speak? Okay. Next speaker.

>> And the final one for postponement on 33 is Rick krenovak.

>> Mayor Adler: Are you here? Next one.

>> Moving on to item 58, Sandra brown and then Edwin Alvarado.

[10:54:10 AM]

>> Hi. Good morning, everyone. My name is Sandra brown. I live at Santa fe apartments. I've been living here in these apartments for a year now. We've been having -- instructed that we have to be evicted -- vacate, sorry -- the property asap. It's impossible to vacate on such short notice due to we all have families who work and children who attend in this area. We request that you meet with the new owners, the property. Being without these daily basics such as hot water, air conditioners, has put a major dent in our pocket. Austin code enforcement has come out and has instructed the construction workers that they're not allowed to work without a work permit, which has continued to happen even though they were told not to. This is why we're asking for

[10:55:12 AM]

more time and to find placement for our families. Thank you so much.

>> Mayor Adler: Thank you.

>> Edwin Alvarado.

>> Mayor Adler: Are they here to speak with us today?

>> Edwin's not here.

>> Oh.

>> Mayor Adler: Okay. The first speaker is not, the second one is. Come on down. This is item 58?

>> Yes. Item 58. My name is sass, they/them, I am speaking on item number 58. I'm a tenant of Clayton lane apartments, steering lane committee of Santa fe. Let me get the sign on the camera. Nice. I joined the tenants association a month ago when Patrick duke bought our complexes with 80

[10:56:13 AM]

units, communication was sparse and unclear. Given the environment this happened in, including that every tenant had already been transitioned to month-to-month contracts, we collectively feared we would be pushed out of our apartments so they could be demolished. We were right. And instead of meeting with us to work out the details and offer a reasonable package, Patrick duke has continued his streak of bullying those with less power and skirting around the law. Patrick duke's company has long since begun demolition work on a dozen units without approved permits, tearing up floors and drywall. The waste is being tossed over balconies into dumpsters and our parking lots, our complex has turned into a debris field for children to play in, with hot water shutoffs and internet disruptions. We are living in an active construction zone risking our safety and health just to be on the property. While it seems that he's gotten away with this before it ends

[10:57:14 AM]

here. Today we are here to advocate for clarification and enforcement of Austin's existing relocation ordinance to protect tenants. We have attempted to negotiate with Patrick duke in good faith but he has dismissed us as "Those people." Avoiding our requests to meet with him and illegally retaliating through harassment from management and notices to vacate. We ask the council to support the proposed ordinance amendment not just to cover our current situation, which the ordinance should already apply to, but to provide additional clarification to protect tenants all over Austin. Thank you.

>> Mayor Adler: Thank you.

>> The last in-person speaker for item 58 is Jasmine a. Williams.

[Off mic]

>> Mayor Adler: Yes.

>> Mayor, I want to say thank you so much to all of the tenants that came to city hall today, both the press conference and to testify. I know that they're all taking time from work and kids and school responsibilities, and it's difficult for people to do

[10:58:14 AM]

that. I want to say how much I appreciate that.

[Speaking Spanish]

>> Mayor Adler: Thank you. Okay. Next speaker.

>> Moving to the remote speakers, we have pat speaking on item 2.

>> Thank you for the opportunity to speak. Can y'all hear me okay?

>> Yes, we can.

>> Thank you. My name is pat and I live in district 9. I am soon to live in district 3 due to redistricting. I am here to speak on item 2, which I don't have a position on because I don't know that much about it. What I would like to point out is -- well, first let me say that item 2 is related to a 65,000-dollar grant for testing cats for sars covid

[10:59:16 AM]

2. And I am in favor of the city accepting a 65,000-dollar grant for the animal shelter, and I would like to know more about what this grant is supposed to test cats for and whether the way the grant is written is the best use of money. What I'd like to point out is this item, as far as I can tell, and I listen to all the animal advisory commission meetings, was not discussed at an animal advisory commission meeting, did not give the public an opportunity to ask questions or to speak on it. So I would like to request that in the future when items come before city council for a vote on an animal issue that there be a question as

to whether it was discussed in a public forum such as the animal advisory commission or another public forum. My understanding of the reason we have an animal advisory commission is to have input on city funding

[11:00:17 AM]

and city policies related to the animal shelter. This is now the third time that an issue is coming before council with very little public input, very little public knowledge of what it's even about, and I do want to commend council member vela for recently appointing a veterinarian to serve on the animal advisory commission. I am hoping with her addition -- [buzzer] -- And some others that are currently on there, that have been added recently, that we will have more balance on the commission about various animal issues that need to be discussed.

>> Mayor Adler: Thank you very much. Thank you for being with us today.

>> Chris Harris for the postponement of 16.

>> Good morning, Chris Harris, director of policy at the Austin justice

[11:01:17 AM]

coalition. I live in district 9. I'm calling in to oppose dilate of item 16 and ultimately to support item 16. The program in Stockton, California, which served 125 families, \$500 a month, two years, was a resounding success. 37% of the money 2020 food, 222020 home goods, clothes. 20 percent went to costs and utilities. This is sorely needed in our rapidly expensive city especially for folks in the more poor communities. This cannot delay any further. Really I'm really disappointed in those supporting the bad faith request for delay from the most conservative member of this dais who idea logically does not support this and

[11:02:18 AM]

you know that.

[Buzzer]. This is exactly the thing that ineffectual liberals do over and over to not only maintain our understatus quo, but to perpetuate --

>> Thank you, speaker, your time has expired.

>> Postponement of 16, Mary Chisholm.

>> Mayor Adler: You have one minute.

>> My name is Mary and I live in district 4 and I was calling in support of item 16, but as Mr. Harris just said, it's been postponed. We know that guaranteed income reduces poverty, which reduces crime, which is to councilmember Kelly's most important item. So I don't understand why she would want to postpone this, but again I am against the postponement and I am in support of item 16.

[11:03:20 AM]

Thank you.

>> Tovo: Mayor, as a point of clarification I think you mentioned this earlier and I have not been on the message board this morning. Did you say that several colleagues have requested a postponement and have posted that way on the message board?

>> Mayor Adler: Yes. I think there were three colleagues that came in, four people requesting the postponement. I think that's true.

>> Tovo: Okay, thank you. I wanted to clarify that given the fact that our last couple of speakers talked about just one of our colleagues.

>> Again on 16, Beverly Lazar.

>> Hello?

>> Mayor Adler: Go ahead.

>> Can you hear me?

>> Mayor Adler: Yes. You have one minute on whether or not you think this should be postponed.

>> Okay. I am against the postponement. I live in district 8 and the

[11:04:21 AM]

guaranteed mechanic income program would be a springboard for families to reach economic stability. Several other programs across the U.S. Have shown that after 12 months of extra income, families and individuals have been able to achieve a level of stability and savings that allow them to move off of assistance programs like these. I think all the facts are pretty clear, the numbers, everything I've worked through, so I am against the postponement.

>> Mayor Adler: Thank you.

>> Thank you.

>> For postponement of 16, Richard Smith.

>> Good morning, this is Richard Smith. I live in d8. I'm testifying in support of postponement of agenda item 16 and. And for the record I'm option the tax on individual council members. I believe the additional two weeks for the postponement will allow time for consideration of a couple of matters. First, the availability of

[11:05:22 AM]

private organizations and individuals that are ready and willing to help those in dire need. Second, consideration of the fact that we live in a different world than when the income [indiscernible] Was budgeted due to rising costs, property taxes and gasoline. And council will be facing a tighter budget around the corner. Lastly, councilmember pool is absent today. I noticed she voted against funding and I think postponement would be appropriate.

>> Mayor Adler: I wanted to thank everybody who came to speak today on this item 16. It will come back to us in two weeks. And I think that's the right thing to do so we can answer a lot of questions that have been out. I do recognize that there's an incredibly broad coalition that has reached out to us, including the

[11:06:22 AM]

urban league and the justice coalition, pets alive, district 5 for black voters, crime survivors, gava, save our springs, apple speed, fair defense project, that have asked us to do this. The workers defense fund, the workers defense action league. And I think they really need the opportunity to be able to reach out to council offices as well. So let's give this a little bit more time. I want the public to know we're going to discuss this in executive session today to answer some legal questions that will come back out to the dais for council members to give quick thoughts, but then it will be postponed. But I urge everyone to stay engaged. I know this is so important to so many people. Councilmember kitchen.

>> Kitchen: Yes. I just want the speakers to understand that a number of us asked for postponement, myself included.

[11:07:23 AM]

That's not to -- please don't take that as a measure of how I feel about the proposal. I think it's -- we have a responsibility to ensure that the parameters around the proposal around the administration of the proposal are appropriately done. This is a limited amount of dollars for more people and there are more people who need it. We need to be careful and think clearly about how the program is designed. So I think the additional time is useful for folks.

>> Mayor Adler: Thank you. All right. Next speakers, thank you.

>> Postponement of 16 --

>> Mayor Adler: Hold on. Did we call your name?

>> No. I [indiscernible].

>> Mayor Adler: Why don't you go ahead and talk to the clerk. Call the next speaker, please?

>> Kent lattick.

>> Mayor Adler: Which number?

>> 16.

>> My name is Kent.

[11:08:24 AM]

I've been a resident of Austin since '75. I live in southwest Austin. I am opposed to the proposal at the present time. I do believe that there is substance to it, however, I am opposed mostly to what I consider indiscriminate use of taxpayer money to throw about. I would like to see some kind of auditing done about the homeless people. I know we spent a lot of money, spend a lot of money, and we still haven't gotten any audit of that program and I know there's been a lot of money thrown about in regards to covid and I'd like to see a bit of auditing done about that before we start throwing money at some other program. I yield to the delay and I thank you for hearing me.

>> Mayor Adler: Thank you.

>> Tovo: Mayor? Our last speaker talked about the investments that

[11:09:24 AM]

we're making in homelessness and I just wanted to invite him to tune into some of our public health meetings. We have a standing item on every public health meeting to talk about homelessness and often that is looking at the investments that we're making through our American rescue plan act and there is lots of information that our staff have pulled together on how we are spending the money and what the outcomes have been both of the American rescue plan dollars, but also our city funding. And as a matter of fact, the city auditors did do a series of audits on homelessness as well. There are lots of reports on how your taxpayer investments are being spent to help provide permanent housing and services for individuals and neighbors in our community who are experiencing homelessness. Matured thank you.

>> For the postponement of 33, David Faust.

>> Mayor Adler: You have one minute to speak about the postponement.

[11:10:25 AM]

>> Good evening. My name is David, I'm a resident of district 2 and I am speaking to oppose the delaying of item 33, specifically the amendments to vmu 2 put forward by council member vela who really make a huge difference in unlocking a lot more housing display that we desperately lack. The reason I am

specifically opposed to the delay is that we are already very far behind. As a previous speaker mentioned, about every month around 480 people are either forced out of Austin or are unable to move in. This matters a lot to me personally because some of those people are people like teaching staff at Blazier elementary school where my son is about to attend kindergarten. I recently signed him up and spoke with some of the staff there and they said they are short of staff because people cannot afford. We are already far behind. There's no need to delay. So I urge the council not to

[11:11:27 AM]

delay the vote on item 33. Thank you so much for your time.

>> For item 58, makia Arnold.

>> My name is makia. I'm a born and raised austinite, mother and activist. I am for item 58 and 16. 29 years old and have experienced the good, bad and ugly in my city. I do not want my children to experience when I have. I have lived a marginalized and disenfranchised communities my whole life all because of my color of my skin. I identify as a black woman but in my son's eyes I'm a hero. What makes the grass grow? Blacks and brown blood. At the least you can approve this pilot program that will assist families and more to come. I've seen Austin from going from keeping Austin weird to keeping Austin white. No more double standards, no

[11:12:28 AM]

more white supremacy, no more keeping Austin for the rich and the white. They're taking over our resources. It is proven data that people who live in west Austin live 10 or 15 years longer than people who live anywhere in Austin in our own city. And we've seen that firsthand during the snowstorm. I've moved four percent of that population alone by myself so think of it as a love offering. Preserve the color in Austin, preserve the history and this will be many of the first steps in doing so. We are holding you accountable. We've done pleading. We are demanding this. Thank you.

>> Speaking on multiple items, Zenobia Joseph.

[11:14:10 AM]

>> Thank you, mayor, council. I'm Zenobia Joseph speaking on item 16 as it relates to the guaranteed income, I just would recommend that you look at the may 7, 2020 open records request that I had to family Independence initiative and specifically there was a lack of transparency. As it relates to the audit, I would just say to councilmember tovo that if you look back you will see that even the rise fund had federal funding, but at the same time that you gave this two million dollars to the family Independence initiative, the immigrants were prohibited from getting the \$2,000 so I would ask you in executive session to recognize that you circumvented federal law when you actually distributed that cash to individuals who did not comply with the law. As it relates to number 17 -- number 18 actually, the Sherri Matthews contract, I just wanted to

[11:15:14 AM]

ask that I'm actually neutral on that item. I appreciate that the staff is going to withdraw it. However, I would ask you to recognize that there's no need to bring it back to council. That's the 15-million-dollar contract for covid outreach and I would just ask you to recognize that the \$1.75 million could be better spent helping Travis county with the 4,876 applications that are now in the queue for people who need rental assistance. While I appreciate that council member vela will have an item later on the agenda that

relates to tenants, there's a real need now. And I want you to understand that that music fund extends to the region and part of the region sent money back to the treasury. And so I'm going to ask you to use that money, the 1.75 million, for the tenants. As it relates to the capmetro items on the agenda, I oppose the asmp item 25, that's your public

[11:16:14 AM]

hearing, because in your joint powers agreement, 3.2.2, the minority populations are bipoc and there's not been outreach to that community.

[Buzzer]. I would say I gave you the map because of item 59, which is the food certificates because the system was designed to eliminate northeast-west connectivity. If you have any questions I'll gladly answer them at this time.

>> Mayor Adler: Thank you.

>> Mayor, that concludes all the speakers we have for consent.

>> Mayor Adler: Great, thank you. Anybody else that showed up that signed up to speak? We have one more speaker. Which item are you speaking on?

>> Item 16.

>> Mayor Adler: Okay. It's been postponed so you

[11:17:15 AM]

have one minute to speak on whether it should be postponed or not.

>> I'm here to advocate for the postponement of this. Sending 85 people a thousand a month for a year and paying somebody \$150,000 to see if they're happy getting 1,000. The long-term ramifications of this need to be studied a lot more than they've been studied right now. 10 years from now if this goes through you will have a bureaucracy and a group of people getting so much money the city can't handle it. This is a Trojan horse. If you look at the rise program, which -- is Ms. Gangoli here? She's with Austin equity office. She said she was going to be here today. If you look at what she's patterned these after, the rise fund, if you look at this and study it, there's no way it's going to come out. Thank you.

>> Mayor Adler: Thank you. Is anybody else signed up to

[11:18:17 AM]

speak that we haven't called that wishes to speak? All right, thank you very much. Appreciate all the speakers coming to participate. Colleagues, we have late backup in items 10, 13, 18, 19, 23, 31, 32, 33, 41, 42, 43, 44, 47, 52, 53, 54 and item 58. Our consent agenda today again is items 1 through 26 and 55 through 59. The pulled items are items 5, 16 and 23. Any discussion on the dais. Mayor pro tem.

>> Alter: Thank you. I have a comment, but I wondered if there's a way we can try to address the extra noise when you have a

[11:19:18 AM]

chance. I'm not sure what that is.

>> We have backup coming. I'm not sure where it's coming from. I apologize.

>> Alter: I wasn't sure if you guys could hear it.

>> Yeah, we hear it.

>> Tovo: It's not the phone line?

>> No.

>> Alter: All right. I'll go ahead. I wanted to make sure since sometimes we can't hear each other. Good morning. I wanted to highlight item 4, which is related to Austin water's efforts to respond to our recent water boil events. While we continue to wait the recommendations of the independent external audit, item 4 lays out some steps by the utility to invest in modernizing software to facilitate plant operator training and to bring in additional plant supervisors and plant technicians on so that they can help us know that the utility is taking steps to ensure such an event never happens again. I appreciate our staff and the work of the Austin water

[11:20:19 AM]

committee and its chair council member Fuentes on this issue, and I look forward to continued action to address public trust and confidence in the utility. Thank you.

>> Fuentes: Thank you. I wanted to draw attention to item 29 and wanted to give a strong thank you to isn't Edwards university students and to the advocacy work you've done. Colleagues, if you remember maybe a couple of months ago or maybe last month, time is a little blurry now, the student came before us and they proposed -- they drew attention to the food disparities that we have here in Austin and that we have zip codes in areas throughout our city that do not have access to a nearby grocery store. So they drew attention to that need, but also had a policy solution for us to consider.

[11:21:19 AM]

And so it's so incredibly important to spotlight that our young leaders are having a say in public policy, that they are learning about how we can improve and impact change within our communities. So item 59 is just that. It's about connecting food access with transportation. It would be us as a city council encouraging capmetro to update their maps and app with information on where bus riders can go and stop for healthy food and ensuring that folks are prepared with that knowledge. Knowledge is power. So to me this is an important step in reducing barriers to food access. That's still a lot more that we can be and should be doing and to increase bus route frequencies to grocery stores, but this is an important step in that effort. So again, I just want to

[11:22:20 AM]

thank our civics lab, St. Edward's students for stepping up, advocating and being part of this policy change. Thank you.

>> Mayor Adler: Councilmember Kelly.

>> Kelly: As we talked about earlier in the meeting I had a motion sheet that was passed out and posted in regards to item 59. I want to thank the author of this resolution, council member Fuentes, for that amendment. I would like to read the motion sheet that was accepted earlier. It says to strike through the word Andrew Rivera to include a map of all Austin area schools that provide free and reduced meal programs and then adds on to what was there that Fuentes had. Council member Fuentes, I want to thank you for bringing this item forward. Food access in certain parts of town have been leaving people without food access and items. This speaks to that and for that I'm thankful. I brought forward that amendment for your resolution from my own

[11:23:21 AM]

personal experience. As I am aware of living and growing up utilizing free and reduced lunch meal programs, the fm 620 of food insecurity on children and families spill into their everyday lives, including

time spent at school, work and their overall health. Individuals living in food deserts tend to have lower levels of education, earn lower incomes and more likely to be unemployed. I read a report recently and with summer approaching there are an estimated 15 million children across the United States living in food insecure households who will no longer have access to daily lunches they receive at school and their household with low wages it really speaks to me here, so thank you. Sorry. And thank you. As for item 16's postponement, I want to thank the mayor and my colleagues for agreeing to postpone the item. As I laid out on the council message board there are parts of the item that have raised questions that remain ton answered and I'd like to have that adequate time to speak to city staff about the metrics, outcomes and decision-making process that will be delivered to us with this item.

[11:24:21 AM]

We do owe it to the community to consider all aspects of the program before voting. Thank you all.

>> Mayor Adler: Thank you. Colleagues, we have a motion on the consent agenda, items 1 through 26 -- actually, we don't have a motion yet. I want to ask for one. Is there a motion to approve the consent agenda? Council member Fuentes makes the motion. Councilmember harper-madison seconds. Consent agenda items 1 through 26, 55 through 59 with pulled items being 5, 16 and 23. Ready to take a vote? I'm sorry.

>> Mayor Adler: Sorry. Mayor pro tem and then councilmember tovo.

>> Alter: Just for those watching I want to clarify that 33 is not a consent item, which is why we're not taking up that vote at this time.

>> Mayor Adler: Not take thatting that up. My hope is we'll be able to take up all the other

[11:25:21 AM]

non-zoning cases before noon. We're on pace to do that. Councilmember tovo.

>> Tovo: I very quickly wanted to thank council member vela for the item that he's brought forward to further clarify the tenant relocation as you said earlier this morning. I believe the tenant relocation ordinance covers exactly the things that we've articulated here today or in the resolution we're about to pass, but I appreciate you for bringing forward that clarification to make sure that that's abundantly clear and I think that councilmember Renteria, you really said it well in today's press conference that we need developers and owners, property owners, throughout the city, to really pay attention to the tenant relocation ordinance and to work with their tenants to make sure that they have the notice they need and the resources they need to safely situate themselves and other -- in other housing during a time of redevelopment. I also just wanted to call my colleagues' attention to the budget.

[11:26:21 AM]

The budget question number 31 that I submitted as part of last year's budget which recommended the staff that we had funded for \$165,000 a tenant relocation nexus study. We really need to do the tenant relocation nexus study so that we can make sure that developers who need to be responsible for those relocation costs are held so. And we can't make progress for that until we have the nexus study done. That's the study that needs to be done for us to have that potential tenant relocation developer fee. So I would like to ask manager, if you would please, let us know the response at that time in July said there was no timeline for the ordinance to add the developer fee. That 165,000 remains in budget arrest on the least did as of July, but we need to take action on that and get that work moving. So please let us know if you need further action from council or if that's just a

[11:27:24 AM]

matter of getting it done at the staff level.

>> Mayor Adler: Mayor pro tem and -- sorry, council member vela.

>> Vela: Thank you very much, councilmember tovo and your office, Ashley, for helping us with the procedural hurdles in getting an item on councilment I believe this is my first item. And in the meantime it's a struggle. When you're learning new procedures regardless of what exactly the details are, thank you again to you and your office.

>> Mayor Adler: Colleagues, it's been moved and seconded. Councilmember Ellis.

>> Ellis: Thank you, mayor. I wanted to also highlight number 57 is field engineering rotation list approvals for some of the bond measures from 2016-2018 and 2020. So we're always appreciative of our transportation department routinely bring regular us those next phases of contracts and diligently working through their project list. I'm also appreciative of

[11:28:26 AM]

Austin water adding additional employees. Some of us were fortunate to be able to go and tour the Ullrich treatment plant a couple of days ago so thank you for chair Fuentes of the water oversight utility committee. That was really enlightening and engaging to see it firsthand and understanding the processes that take place for water treatment. Also appreciative of item number 58, the tenant relocation item that's going to be hugely impactful to so many austinians. And also for item 59 about food insecurity. I know that we know there's a lack of not only access to food, but sometimes health care services in certain parts of town. I really appreciate the work that council member Fuentes is doing on that.

>> Mayor Adler: Great, thank you. Councilmember Renteria.

>> Renteria: Thank you, mayor. And I also want to thank the St. Edward's students. When we redid the capital metro lines a few years ago we wanted to make sure that the seniors have direct routes

[11:29:27 AM]

to the stores. Basically H.E.B. and Fiesta. And our biggest mistake is that we never did advertise it but we also recognize that now there's a lot of other locations that we need to really put emphasis on. And because of the students coming to us and making not only a presentation, but also a solution, I'm really grateful for them for bringing that to the council. And we heard you and me and my colleagues on the metro board, we appreciate that and will make sure it becomes a reality, including for different languages, in different languages. So thank you.

>> Mayor Adler: Just to jump on that, I appreciate council member Fuentes and Renteria's leadership in bringing this item to us. I think it's always great when the students in our community get involved in

[11:30:28 AM]

this process. Almost always it sends up with good ideas coming forward. I think we have some of the students here with us today from the lab. I don't recognize them all because we don't have their t-shirts on, but I have --

[laughter]. I have mine on. If the students would stand up for a second, really good work. Thank you.

Thanks a lot, guys. All right, we have the consent items in front of us. It's been moved and seconded.

Let's take a vote. Those in favor please raise your hand? Those opposed? It's unanimous on the dais with councilmember pool off. Congratulations, that item passes. All right, colleagues, we have a little under

half an hour to see if we can work our way through the balance of this. I think we can. Councilmember kitchen?

>> Kitchen: I would like to move postponement of item number 3 to June 9 -- 33, sorry.

>> Mayor Adler: I'm going to call these items in the following order if it's okay with you. I'm going to call item 33 so

[11:31:30 AM]

we can postpone that. I'm going to call number 5 so you can ask a question. So if staff would be ready to do that, please. We'll hit item number 27, item number 28, that will get us into the Austin housing finance corporation and then the annexation item number 32. I think we can handle all those things by noon. Councilmember kitchen moves to postpone item 33 to June 9th. Is there a second for that? Councilmember harper-madison seconds that. I think also as we discussed yesterday, we're posting the item for action to June 9th but we're going to put it on the agenda work session in council for potentially the 17th and 19th, discussion only, no action, so that at the work session we can talk with each other and so we have the option of inviting the public to speak as well on the 19th if that makes sense. Discussion on the question of postponement?

[11:32:31 AM]

Councilmember kitchen, you made the motion. Do you want to speak to it first?

>> Kitchen: We had a lot of discussion on Tuesday, so in the interest of time I won't go into great detail. I don't to thank my colleagues -- I do want to thank my colleagues as well as the community for the commitment to affordable housing, the commitment to recognizing that our corridors are the place for additional height and affordable housing. And to recognize the importance of this item and the time to get it right and to -- the time expeditiously I should say. We want to move as quickly as we can to get it right and to have that conversation with all the various people in our community who are part of this. So I just want to say that at this point.

>> Mayor Adler: Okay. Mayor pro tem.

>> Alter: I wanted to clarify for the discussion that would be for the public

[11:33:32 AM]

on the 19th because we will have a full dais again on the 19th and we don't know what's going to be pushed there and we'll have asmp, we are going to evaluate to make sure that we don't need to separate that hearing from the council meeting so that we can really listen to what people are saying. But at this point we don't have a good sense of what is on that agenda, so that would be a separate meeting if the 19th meeting becomes such that we don't think we can spend the time we think to to hear the community at that particular meeting. We can do other things as well, but we wanted to make sure when we postponed it that we set at least one time. I know we have asmp and we keep postponing things to the 19th. I'm not sure what's on that at that point. Thank you.

>> Mayor Adler: Council member vela.

>> Vela: Just a clarification. So item 33 will be on the work session for the 17th,

[11:34:34 AM]

but not on the agenda for the 19th.

>> Mayor Adler: Could be on the agenda for the 19th, but if it was it would be for discussion only, not for action, so as to give the public a chance to be able to speak to us about ideas that have surfaced and the conversation that we had on the 17th.

>> Vela: In order to facilitate the discussion, and I mentioned this to councilmember kitchen, is a way that we could prefile proposed amendments so that we're not writing the ordinance on the dais and the public understands where we're going and we get to look at each other's work and so there's some transparency and to facilitate the conversation as well. Again, I'm not sure where owe what council is Pratt on the large item like this that has different provisions. And also I spoke to -- to Morgan the other day and I

[11:35:34 AM]

want legal to also have time to vet and give us guidance as to where we're going, what changes we need to be making.

>> Mayor Adler: So we have on instances encouraged people to do that and in the budget cycle. In several years we've said we'll consider first those amendments that have been prefiled and that people can see. We have yet to rule out anyone's amendment that was not prefiled but not to have the same priority. As I look at the schedule that we have shaping up, I think it's a really good idea. I think we should be trying to surface as early as we can. Everyone in essence as I can on the process of working on it, it will go through work now. We'll come back together as a group on the 17th. That doesn't mean people have to wait until the 17th to let people know what they're coming back with. So to the degree that people can start posting stuff on

[11:36:34 AM]

the message board the week before that it would be great for people to be able to see, for people to be able to speak to so that when we were together on Tuesday the 17th to discuss this. What we're discussing are things that people have already seen. So I join with you in urging that. Certainly the council could take more formal action. It's within our powers to do that. But we're not going to take any action on either the 17th or the 19th, which would have then another two week period of time. We might want to consider if we're actually going to be taking action on the 9th, maybe one of the things we could talk about on the 17th is how we best approach the actual day of the 9th itself. But certainly for discussion the earlier we post makes sense to me too.

>> I appreciate that, thank you.

>> Mayor Adler: Councilmember Renteria.

>> Renteria: Thank you, mayor. I see the crisis that we have in here on our housing

[11:37:36 AM]

needs. Like I see climate change. If we don't do anything on climate change we'll have a lot of disastrous storms and severe changes in our climate. And it's the same thing as housing. If we just keep on discussing this over and over we've been working on this issue for over eight years, going on eight years since I've been on the council and we still haven't been able to solve this problem. And we're seeing now that our average cost of a house is a million dollars, getting to a million dollars. It's 600,000 to \$700,000 is not affordable. And we're having apartments that the average apartment is \$1,900. I mean, I have staff members that can't afford to have one bedroom apartment here

[11:38:37 AM]

in Austin. They're teaming up and getting a two bedroom apartments just so that they can afford to live here close to downtown. If we don't do something very soon we'll have that situation where only millionaires are going to be able to live here in this town.

>> Mayor Adler: Mayor pro tem?

>> Alter: I just wanted to -- we received some clarification requests from staff and I think for the first one of those I think what the mayor laid out with respect to the 19th or a special hearing if the 19th is too full addresses the first question. The third option had to do with notification impacts. So to the extent that we have to notify by newspaper four weeks out, that would mean likely on June 9th we would only be able to take

[11:39:39 AM]

up items that had to do with vmu and the chapter that we -- I think it's 4.3. And if anything surfaces from our conversations that goes beyond that we will have to go through the notification process which depending on the timing and how quickly anything could go together may take us beyond that for items that go beyond vmu, that's just the interpretation that I've heard from that. But I do want to clarify that from the public. And then there's another question about what was expected in terms of staffing from staff to support this. And I think that's going to vary from council member to council member as they go through, and that we just ask council members to be judicious in what you're asking and that understanding that time intensive things like fully moving out things by the

[11:40:40 AM]

17th may not happen easily depending on how they are for staff to do. But that we will try to meet everyone's needs and should become burdensome and that will be raised to us and we will try to address how to handle too many requests since I don't know what people are going to ask, my suggestion would be that if it becomes a problem, then staff raises it with us and then we can try to address it at that point in time if it becomes too much. I'm not anticipating it will be too much, but I understand that staff had a concern about that.

>> Let's go ahead and put that on the work session for may 3rd so if staff is feeling those kinds of things they can raise them with us or if someone wants to daylight something that they think should already be in the hopper, they have opportunity do that as well. The one -- thank you for making that clarification. I understand from staff that it may be that the Adu

[11:41:45 AM]

response has already gone through the initiation process so I leave that up to staff. If that's coming back to us that would obviously be something that you would have noticed if you were planning on bringing it back then. My understanding is that the residential and commercial is not going to be ready to go through the process at that point so you don't need to notice for that. That might be the subject of an ifc on that date to appear penned to that work the amendments we've made on vmu 2 but it doesn't require notice. So I think it's really noticing on the vmu 2 and potentially the Adu who have gone through that process. Councilmember harper-madison and then council member Fuentes and then councilmember kitchen. Harper-madison thank you, mayor, I appreciate you recognizing me. To councilmember Renteria's point, I wonder if it's possible for us to -- I also agree we've been talking a lot and I think it's time to take some action. So I wonder if it's possible

[11:42:46 AM]

for us to put a time certain on when we're going to vote because it still feels ambiguous.

>> Mayor Adler: We'll be voting on the ninth.

>> Harper-madison: Definitely voting on the 9th. Thank you T.

>> Mayor Adler: Council member Fuentes.

>> Fuentes: Thank you. I do feel it's important to have staff support regarding the ways we engage our communities. So to extent that it's possible I would like to request for us to have our housing and planning department to consider creating either materials or social media graphics or blurbs for us to send in our newsletter about vmus, what the designation entails, how it currently stands to help us engage with our communities. Thank you. And I see director truelove is nodding. Thank you. And councilmember kitchen and I are going to be working collaboratively to host a community meeting for our south Austin communities and we'll be sure to share more details as we finalize

[11:43:46 AM]

the date and time. Thank you.

>> Mayor Adler: Councilmember kitchen.

>> Kitchen: Yes. I just wanted to echo what others have said. I think there's a number of different ways we can reach out to our communities. I look forward to the effort that council member Fuentes and I are collaborating on. I understand also that councilmember Kelly has plans to do a town hall in her area and then we'll have many other ways in which we're communicating with the public. Just for clarity sake, my motion was to put this on the June 9th agenda for action. Thank you for that, councilmember harper-madison, for action on June 9th. And what we've also talked about is discussion on may certainth and potentially may 19th with the understanding as mayor pro tem mentioned, is that we need specific time to hear from the public so if

[11:44:47 AM]

may 19th is not going to work for that we may have to do a special called or something else to make sure that we have set up a situation where we can actually hear from folks that's not one minute each, where it's longer and they can actually speak to us. We can figure that out as we proceed.

>> Mayor Adler: That's my understanding as well. I've also asked for it to be put on the work session for whatever that day is, the third. So there's another stopping off point and it's just for us able to to daylight stuff. And in terms of breadth of suffering I think from the terms of a staff standpoint that we'll focus this effort on corridors. And that might serve as a narrowing down to focus everybody's attention.

>> I wanted to emphasize that point that for me this is not simply a conversation about vmu, it's a question

[11:45:47 AM]

about what you do on the corridors, but like actually on the corridors, not five blocks in, but for density for affordability. This is a conversation that the mayor and I have been having for several months. And I think this is an opportunity for us to engage as a fuller council to have a more expanded conversation and although we've been talking for a really long time, I think one of the things that I've realized as we tried to think about a way forward so that everyone can be engaged on the vmu changes that are being proposed is that we have not talked about really what we would be comfortable with on the corridor.

And I think that we've gotten distracted by attempts to go further in from the corridors and that has made it hard for us to really elevate the conversation on the corridors. And so that is why, you

[11:46:49 AM]

know, vmu can be voted on on June ninth, but nothing else can really be voted on until it's noticed and go through a longer process. And we may not get to a resolution on the residential and commercial, but that would be helpful on the corridors and we wouldn't want to have programs that were wildly different in some of our expectations although since we're starting from different zoning places they would need to be different programs. So I just wanted to clarify that that's how -- that I'm thinking about this and I think that the work that councilmember kitchen did as part of the group on the vmu 2 models one way that you can do that, but we need to have that broader conversation, but it is a broader conversation than the one we've had and I think it is a place where we've had a lot of consensus and agreement and I think it will allow us to demonstrate

[11:47:53 AM]

how we can work at that consensus point because I think we do understand that we need to have more density on the corridors but that we want to do it in a way that captures the affordability opportunities and is respectful of the community that lives off the corridor as well.

>> Mayor Adler: And I agree with that as well. I think this is a conversation we haven't been able to -- haven't had really yet focused this way. Focused on corridors mostly on affordability issues and affordability programs and potentially that intersect corridors. I don't want to limit it just to affordability programs because I think there might be some changes we could make not to the same degree that we do associate with affordability, so we still provide the incentive that had agreement, as I recall, from the working group and Mr. Duncan's work and others that might relate to those other situations. So I allow for that to be

[11:48:54 AM]

presented as well when we're together on the 17th.

>> Tovo: Mayor, can I ask you to clarify what you just said? I'm not sure I'm understanding what you're saying.

>> I think that --

>> Tovo: Affordable housing programs within -- are we still talking about corridors?

>> Mayor Adler: Only corridors. Only corridors. That's the filter I think we've agreed to do. We're only talking about things that focus on corridors. What I said was not necessarily just affordability on corridors because we have some compatibility standards right now that I think, for example, I'll give you an example, the compatibility standards we have right now I think limit height on corridors to 30 feet from like 25 feet to 50 feet and 40 feet from 50 feet to 65 feet. I'm not exactly sure. I know that I believe there was some consensus to consider going from 30 to 35

[11:49:55 AM]

or 40 to 45 in those. I don't know. But that's not necessarily tied to affordability, but something I want to take a look at while we're focused on corridor.

>> Tovo: So just to summarize what I think you are saying, you are rising for consideration I'm going to say affordable housing because affordability is just so overly general at this point. The affordable housing provisions within that as well as compatibility requirements. Am I understanding you correctly?

>> Mayor Adler: It could be compatibility, it could be parking. Those were the things that I think were generated. But the focus is on just impacts or changes in use on properties that are on the corridor. Councilmember Ellis.

>> Ellis: Thank you, mayor. I do think it's important that we are having this conversation. I know there's a lot of folks out there that want to see it move much quicker and I appreciate that. I do think it's important to have the conversations with

[11:50:56 AM]

community members so there's a set expectation of how this is going to work and how it might affect their community. But I want to remind people that in about 10 years we'll have a much more robust network of light rail, metrorapid buses, bike lanes and we need to make sure that we are setting ourselves up for success over the next 10 years, otherwise I would hate to imagine what we're going to see in the skyrocketing cost of housing and housing availability all over the city. I know we talked about it in pretty good depth on Tuesday, but we definitely feel the urgency of trying to tackle housing and affordability issues, but I just want to keep our mind also on the long-term that the decisions we make now could take years to be fully realized as people make their way through the permitting process and really get through building the housing that we desperately need. So it's definitely on our mind that we need to make good decisions and we need to make them in a timely fashion.

>> Mayor Adler: Thank you. Anything else before we try

[11:51:57 AM]

to run through the rest of the agenda? Councilmember kitchen.

>> Kitchen:

[Indiscernible] The vote to do on 33. So just one very quick thing. We have a lot to talk about on the substance. Our vote in front of us right now is the postponement to June 9th. I appreciate what everyone said. Look forward to the conversations, and we'll need some clarity around that because there's a lot that we need to do and I want to do all those things, but I don't want to hold up the changes to the V program. I want to get those things resolved as we also tee up the other things we want to talk about.

>> Mayor Adler: I'll join you on that. Let's vote. Those in favor of the motion to postpone please raise your hand. Videos opposed? It's unanimous on the dais with councilmember pool off. Let's call up the things we think we can do without any questions right now. I don't know how quick your questions are. Really fast? All right, councilmember tovo. Let's call up item number

[11:52:58 AM]

5,.

>> Tovo: I'm going to start by moving approval of this item.

>> Is there a second to approving item number 5? It is seconded. Councilmember kitchen seconds. Councilmember tovo.

>> Tovo: This is the item that adjusts our service contract with the downtown Austin alliance to allow for them to continue doing what they have been doing, which is to provide the maintenance for our public restrooms downtown. It also is kind of a pass-through for the security at the brush square museums. We

have had a history of different kinds of understandings for our restroom maintenance, including early, early on the downtown Austin alliance was through their bid as I understand it paying for the maintenance of our temporary restrooms. It's taken awhile and I haven't gotten to the bottom of why and how the funding has shifted for this, but I am just raising for my colleagues' notice that I

[11:53:58 AM]

don't understand why when we have previously paid for the maintenance of the brush square, either the brush square security and one of the restrooms or both. We have paid for that typically and part of this period of time through the convention center budget. I believe we've also used historic -- the hotel occupancy taxes to pay for the security at the brush square museum since those are historic assets and they are primarily serving visitors. So I just -- I'm not sure -- I guess my question to staff is from what source of funding is this coming? I understand it's not -- I believe I understand it's not coming from either one of those sources anymore.

>> Thank you, council member. We do have staff from the economic development who will be able to answer that. They are virtual so if you could move over director holt-rabb.

>> Tovo: And I understand part of it is a legal response that we obviously can't have here, but if you

[11:55:00 AM]

could just answer the question of what source of funding are we using for the brush square security and for the public restroom maintenance, please. And then my next question is going to be for director Mcneeley, thank you for being here too, and that is from time to time I've heard from board members of the brush square museums and others that they really require 24/7 security and they would like to see 24/7 security. It's my understanding that this security is just what we've been providing, which is not 24/7 security, so my question is whether we know what their needs are in terms of security.

>> There we go. While we wait for EdD, Kimberly Mcneeley serving as the director for parks and recreation. I can for you, council, I

[11:56:00 AM]

can definitely pull our safety, our incident reports to be able to provide you very specific information, but anecdotally I can tell you that because of the location of that particular -- because of the location of that particular space that there are some poor choices that are made by individuals inclusive of choosing public urination, public defecation, other behaviors that could -- are not desirable or, you know, could be looked as unfavorable. The security that we have in the evening for the seven days of week has absolutely been necessary and appropriate and has also helped deter some of those behaviors from happening. There's a little time frame sometimes when people make choices when the lights are still on, when the sun still out, that could certainly benefit from additional -- from additional funding, however, you know, I wouldn't have that information. All I have is anecdotally.

[11:57:01 AM]

I didn't pull the actual incidents. Certainly I could provide that for better analysis.

>> Tovo: Thanks very much. I've met -- this falls within my district. I've met multiple times about the issue. And I -- I also --

[inaudible]. I've broken my microphone again. My apologies. I also don't have recent incident reports. I've got incident reports from a few years ago. My assumption is that this probably is a need for

additional security still and so, manager, I think -- I'm not sure if EdD is on and we need to move on anyway, but let me say from what I understand about how we're funding this item I have concerns about how we're funding it. I think it should be shifted to -- back to the funding sources that it originally was. I'm not sure what the mechanism is for doing that after we pass it here today, which I'm prepared to do. And I also want to make sure that we're following up with brush square museums about their need for additional security. And again, I think the funding source that we

[11:58:03 AM]

initially had identified is an appropriate one. So I assume that would need to be done through a budget amendment on a subsequent agenda. Is that the mechanism if we're able to shift the funding source? Since one's not identified in the backup I'm not sure whether or not we would need to do that or if that's something that you can do on your own and we can just have a conversation about it at work session? I don't know what the mechanism is when there's not a funding source specified in the backup we're not necessarily approving that funding source.

>> Since it looks like we're not able to get our staff online I will certainly follow up with you and determine what the next steps would be regarding the funding source.

>> Tovo: That's fine and if we can get it straightened out I would bring forward an ifc or encourage you to take it forward.

>> Mayor Adler: Let's take a vote. Those in favor of item 5, those opposed? That passes. Let's see if we can go through the other issues. We have item number 27, an

[11:59:03 AM]

item from the joint sustainability committee -- an item concerning joint sustainability committee membership is to broaden that. Mayor pro tem, do you want to make a motion?

>> Alter: I'll move approval and then when we have a second --

>> Mayor Adler: Is there a second to this motion? Council member Fuentes seconds. Go ahead, mayor pro tem.

>> Alter: So folks may recall that during our discussion of the Austin climate equity plan, one of the elements to be considered was to increase the membership of the joint sustainability committee and to grant the ability to be able to oversee the climate plan or have as part of its permit to look after the Austin climate equity plan. So the proposed bylaws that the audit and finance committee reviewed and is passing on for the full council's consideration are two changes to the joint

[12:00:04 PM]

sustainability committee that to increase -- in expanding its reputation per that adoption which I think was the climate equity plan and afc recommends adoption and approval of the ordinance to reflect the updates. One of the things we did talk about, mayor, that we're trying to figure out -- make as a brewed change but perhaps in the interim since you'll make several of these appointments was a desire for the notice to have -- to you so that we could vet more. If you would consider a two weeks notice on the appointments and posting to the

[12:01:05 PM]

message board to the community can see them as well.

>> Mayor Adler: I'll do that.

>> Alter: Thank you. And we're working out with the clerk if we need to make that a general part of our procedures in some way. One of the positions is through the health committee. I think you're on that committee, so you may proceed how you like on that. They are your appointments to nominate and the council obviously have to appoint them officially.

>> Mayor Adler: Sounds good. Let's make sure the public posting of the names is the same in both. Raise your hands. Unanimous. Council member pool off the dais. Is there a motion with respect to number 28, which is a nonconsent condemnation item that the city council uses

[12:02:06 PM]

power of eminent domain set forth described in the agenda, item 28, for the uses described therein? Council member tovo makes the motion. Council member vela seconds. Any discussion? Those in favor, raise your hand. Those opposed? Unanimous with council member pool off the dais. Number 32 is the annexation near old San Antonio road. Council member kitchen makes the motion. Seconded by council member vela. Any discussion? Council member kitchen?

>> Kitchen: I understand this property relates to the work of Texas children's hospital and I just want to welcome them to our community when they get to that point -- it will be a welcome addition of services to our community.

>> Mayor Adler: Sounds good. Motion has been moved and seconded. Those in favor, raise your hand. Those opposed -- unanimous.

[12:08:14 PM]

>> Alter: Thank you. I had a question -- I don't know if this is appropriate time. You said on our regular agenda we were not taking up item 30 which is related to Austin housing finance corporation but is the public finance corporation we set up at a prior meeting. I wanted to check why that one was withdrawn. I don't know when I'm supposed to ask about that.

>> Mayor Adler: My understanding is we did not get all the paperwork necessary for us to form the corporation. They asked for the a delay so we can form the entity. There's material from the secretary of state we need first.

>> Alter: Okay. Thank you.

[12:10:15 PM]

First up is Corey saddlewhite.

>> Are we meeting in the executive session room?

>> Mayor Adler: It depends on people's comfort level. Anybody resident to meet in the executive session room? We'll meet in the executive session room. Council member kitchen?

>> Kitchen: I'm fine with doing that. I just want an actual break for lunch at some point.

>> Mayor Adler: I hear that. Let's do the speakers. Then we'll do the timing.

>> Just to add to that, if we're not going to do executive session if we could do lunch quickly and first and then executive session.

>> Mayor Adler: Let's do speakers and we'll hit the timing.

>> How you doing, mayor? Last time I was here you spoke about nobody in this city face

[12:11:18 PM]

discrimination. I said I was going to hold you to do. I told how I was discriminated against in the police academy. I was fired before I got hired. I got the job and they -- hold on, hold on. We going to stop that time real quick. I don't take offense to it.

>> Mayor Adler: Sir, hang on one second. I have something I need to do so you're of record here.

>> That's cool.

>> Mayor Adler: I'm adjourning the Austin finance corporation meeting at 12:11. I'm convening the city council meeting -- still April 21st, 2022, time 12:11. Everyone is here except for council member pool, who is off the dais on a trip that was cancelled because of covid. We also have Fuentes off the dais. Sir.

>> All right. Cool.

[12:12:18 PM]

Okay. So my journey in the academy -- I got the job and then when it got defund, we had to wait. I'm cool, working another job. I got an e-mail saying I was permanently disqualified. I called. They didn't pick out. They sent an e-mail said you were arrested, had an encounter with a cop. I said I've never been arrested in my life. He hung up the phone for 15 minutes, called me back. He said there was a person with your same name. It was a person with with your same name and it was a mistake. Sorry. Hope you understand. I was permanently disqualified because someone with my exact same name was arrested. Right? Every step of the process I was pulled aside because of my last name. I got the biggest African American family in the city --

[12:13:21 PM]

saddleback. They said you're going to target you because of your family. In the classroom I was pulled out of the class. They had me take my shoes off, check my shoes to see if there's a phone in it. No other cadet was pulled out of class like that. They searched me like I'm a criminal. I ain't did nothing. When it comes time to get tased -- I know everyone has to. I know the instructors don't like me. Constantly pulled me out of class. Cool. I don't cry, no nothing. I took it like a man. I took that. Two cadets hold you -- one here and here. They lay you down after and pull the prongs out your back. They tase me. They put me down and the officer said don't pull the prongs out his back. I said, hey, that hurt. You're not about to tase me

[12:14:25 PM]

again. He start to speak to the other staff members and proceeded to tase me again. No other cadet got tased but me. The second time was assault. Who am I supposed to call? The cops did that. That hurt. That ain't like getting hit with a water balloon, right? At the end of all that I get terminated because I didn't put on my application that I was robbed by the police at gun point. I didn't have to put that on my application.

>> Mayor Adler: To my recollection -- you came to us before, as I recall. Manager, I turned to you and said can somebody take a look at this. Can you tell us where this is?

>> Cronk: Yeah. We will continue to talk to this individual and I've asked my hr director to follow up and make sure that happens. We'll get in touch with you, sir.

>> All right. All right. This is my second time.

[12:15:26 PM]

>> Cronk: I know.

>> Next up is Gabino Fernandez? Are you with us.
>> Benjamin Alfred?
>> Renteria: Mayor, I think
[indiscernible].
>> I have one speaker calling remotely.
>> Would you please go outside and see if they're there. Thank you.
>> It's my understanding we're not able to hear remote speakers at this time, so we may need to come back.
>> Mayor Adler: Okay. So I think that all we have

[12:16:29 PM]

potentially is Benjamin Alfred. And -- that's okay. You have a chance to get your picture taken with council member Fuentes. I'd jump on that too.
>> I wanted to come to thank council members tovo, renterria, and -- sorry -- Fuentes as well as all the council members and major for the work we've gotten to do on this. It's been exciting. We're from a public service organization, so we're very excited to have gotten to be able to do this work. We wanted to thank the American heart association, central Texas food bank and of course the council members who have helped us through this. We're excited to keep working on similar projects in this area, especially with council members and all local officials.
>> Mayor Adler: Great. Good work again, and please

[12:17:30 PM]

come back. Mr. Alfred, I would point out the hard part in all this is today's implementation. Don't think today's vote got you there. Stay with us. All right. Are we able to get to the remote speakers? We have just another second more? All right. While we're doing that, colleagues, let's talk schedule. Is it one or two speaker that is are remote.
>> It's two.
>> Mayor Adler: Two speaker that is are remote. We should be done, like, 12:30. Colleagues, if you want to -- what works for you? If we -- 12:30 end executive session? The items that we have to discuss will be item 34, which

[12:18:33 PM]

is a real estate issue. Item 35, which is an open government issue. And item 16, and -- which is the -- guaranteed income pilot. And item 23, which is the planning commission issue.
>> I know you want to do it in person in the executive session room. Some of our presenters will be virtual because they're not here.
>> Mayor Adler: That's fine. We'll probably be out of here by 12:30. Do we want to come back at 1:00 or 1:30. Is 1:00 too early to come back -- one hour.
>> You have music too.
>> You mean come back to executive session?
>> Mayor Adler: Uh-huh.
>> Kitchen: I would like 30 minutes. I don't care when that is.

[12:19:34 PM]

>> Mayor Adler: Let's come back at 1:00 o'clock for executive session. That will give us one hour. Hopefully we can deal with all the issues to get into zoning.

>> If we can take the two remote speakers after the musician, that will be great.

>> Mayor Adler: Okay. We'll go ahead and do that.

>> You won't be able to
[microphone not turned on].

>> Mayor Adler: Let's plan on coming back to executive session at 1:30. Okay? Let's go to music and enjoy music. Then we'll have the last two week Eric -- last two speakers. Be good if we had some on the dais for that. We'll come back at 1:30 and reconvene the executive session.

[12:20:43 PM]

We're getting ready to go down for today's musician and we're all gathered here together. I just want to recall that last meeting we had a pretty celebratory moment where music came back into this chamber in a really special, special way. It was the first time we came back for music since the pandemic. Nane was a great choice to reopen this chamber with music. Subsequently just a few days later, the news of the lead singer's death I think shocked us all. But I want to -- incredibly sad news. I know that all of our thoughts and -- go out to Daniel's

[12:21:45 PM]

family and to the band and to the band's community. That was an incredible gift he gave to us and the city and I just wanted to recognize that.

[12:26:52 PM]

With us from the horror cafe and glam rock of his past to his current sound, Caleb decasper always brings an in your face to live shows. He stocks in evening gowns, bondage wears, ever present fish nets and heels, confidently declaring that masculinity comes in many different forms. In Austin, he found the space to flourish as a queer Austin he never found in north Carolina. Wanting to explore new territory, the album is an

[12:27:55 PM]

electic journey, often dark and brooding but contrasting by high energy. The album's roots lie just not on the dance floor but also on the theater stage as well as the glam and decay of old Hollywood. Please join me in welcoming to the stage at city hall, Caleb decasper.

[12:32:25 PM]

.

[Applause].

>> Mayor Adler: Well, thank you so much. Tell everybody gathered here and people that might later be seeing us, tell us about the lp and the record release.

>> Hi, everyone. My album was released just in time -- my first lp. It's called fem boy. You can celebrate its relief on may 7th at hotel Vegas.

>> Mayor Adler: In east Austin. If somebody wants to follow you, do you have a website.

>> Follow me everywhere -- just not on the street.

[Laughter]. You can find me on all social

[12:33:26 PM]

member. It's just my name and the handles and stream me on Spotify.

>> Mayor Adler: If someone wants to get your music, where can they find it.

>> On my website.

>> Mayor Adler: Cool. We have a proclamation. Be it known that whereas the city of Austin, Texas is blessed with many creative musicians whose talents extend virtually musical genre, whereas our scene thrives because audiences support good music produced by legends and newcomers alike and whereas we are pleased to show case new artists, I do proclaim April 21st of the year 2022 as Caleb

[12:34:32 PM]

decasper day in Austin, Texas. Congratulations.

[Applause]

[12:35:44 PM]

[Applause] .

>> Mayor Adler: I think we have two speakers left here in public communication.

>> Matt, are you there.

>> I'm here. You got me?

[12:36:49 PM]

How about now? I am here.

>> Give us one second.

>> Can you hear me?

>> Mayor Adler: Yes, but not quite well enough. Stay with us.

>> Not a problem.

>> Mayor Adler: Thank you.

>> Will you test for us.

>> Testing, one, two. This is Matt.

[12:37:52 PM]

We're set.

>> We're down to one speaker. Ms. Acuna.

>> Mayor Adler: We had a gentleman's voice a while ago.

>> They dropped off.

>> In the past -- in the 25 years I've been in Austin I have seen changes and inequities happen. Today I want to just -- I want you to just hear what my neighbors and I go through. I just want you to step out of your comfort zone and step in -- we live in a flood zone and get 30,000 a year. You are a family of four children and don't qualify for homestead or many other programs. You're a yard keeper, a roofer, a cleaner, or -- and your wife

[12:38:55 PM]

helps you -- your wife or husband helps you with your work. Your family has experience and triple increase in flood insurance, tax increase -- living wage is still the same and the cost of living has gone up higher. Chronic illnesses are still high. Rental struggles, neglect and injustice. With all that, you have to deal with flooding. Your kids are panicking when the water starts to rise at night. You feel hopeless. The city tells you that's why you have flood insurance. How do you deal with that and how do you feel? Let's come back. Displacement and gentrification is so real. If you keep up zoning or allowing for more impervious cover without updating the storm water infrastructure first, Austin will be a very bad shape. I know the city is trying but they need to try harder. There needs to be a combination

[12:39:55 PM]

of storm water infrastructure and updates with solutions to mitigate flooding, heat and chronic illnesses. I'm asking you to take to heart your position as you assess your recommendations so that your constituents would feel honored to keep supporting you in the future when you decide to run again or step the ladder. With that, I want to thank everybody for the opportunity for me to speak and I want to thank you for the ones that are supporting us in our issues. Thank you, council member Fuentes, for being here with us and I ask that we do heavy community engagement in order for us to get it right.
>> Mayor Adler: Thank you.

[12:40:57 PM]

Any other speakers.

>> That concludes all we have.

>> Mayor Adler: Thank you very much. With that, colleagues, it is 12:40. And we are going to move into closed session to take up four items. We'll convene in the executive session room at 1:30. Pursuant to sections 551 and 551072 we're going to discuss real estate and legal matters related to item -- pursuant to government code we're going to discuss legal issues related to 35, 16, and 23. That's open government. It's the guaranteed income and it is the planning commission issue. Without objection, I'll see you in executive at 1:30. We'll try to come back out as close to 2:00 as we can for speakers. Let's see how that moves in

[12:41:59 PM]

executive session.

[1:57:53 PM]

[Music]

[3:01:08 PM]

>> Mayor Adler: I don't think we co. The postponement items are 40, 41, 42, 45, 46, 47, 48 --

>> And 52.

>> Mayor Adler: Okay. I mentioned that in case we have speakers, but I think almost all our speakers but two are probably all on the 11th street nccd issue. So, if the clerk will go ahead and call first the folks that are here in person and then folks that are remote. And again, we apologize for folks waiting, but

we've recessed executive session. We're going to have to go back out there later, but we cut that short so that we could get back out to you. Go ahead, please.

>> We do have one to speak on the postponement of 40/41, natanya Jameson.

>> Mayor Adler: Okay. Is Ms. Jameson here?

[3:02:11 PM]

Okay. The answer is no, so we can move on.

>> Item 49, Monica Guzman.

>> Mayor Adler: Next speaker.

>> Jennifer Vu, 31.

>> Mayor Adler: Which number, 51?

>> 31.

>> Mayor Adler: Thank you.

>> My name is Jennifer Vu. I've lived on 13th street for over six years and this time we've had ongoing issues with loud music, many particular bars on 12th street, and there has never been anything done. I oppose the zoning change proposed allowing for more outdoor entertainment. We live in a residential neighborhood. We have kids, dogs. We already can't sleep at night and it's not okay. There are noise ordinances that are not obeyed. We have reported this issue hundreds of times. It's on the record. The music goes on past 2:00 A.M.

[3:03:12 PM]

The bar where the music comes from doesn't have a music or sound permit, yet they have the right to ruin quality of life. We have talked to the city music office, the economic development office. They put up meters to monitor the noise levels but can't do anything about enforcement or fines. We have called police. They don't do anything. We have put a fence up all around the perimeter of our house to help with the noise, installed sound proofing in the windows, and yet our walls still shake. I live in a house built in 1885, a stone fortress, and I can't sleep at night. It's infuriating that other venues like stubbs, who does have a music permit, obeys the noise ordinances and there's this crappy bar in my neighborhood without a permit keeping us all up at night. It will only get worse if you allow more bars up and down 12th street. We do not want to be turned into an entertainment district. On top of that there's trash in our streets from the bars. Their receptacles overflow. The trash ends up everywhere.

[3:04:13 PM]

I pick up beer cans, liquor bottles, needles and drugs on my street. There are drunk people who vandalize cars on the street. It's a problem. It's not okay. It doesn't seem like the city is listening to us. This is our neighborhood, our homes, our lives. These proposed changes don't take into account feedback from neighborhoods and seem to have been kept from us in a deceitful way. That doesn't feel good. I beg you to finally listen. Please pull these items from discussion as well as last-minute changes like this and please keep public hearings open so that our voices can be heard. Thank you.

>> Mayor, we have several different sets of recommendations. I wonder if the staff can help us put some framework around it. I wanted to ask the speaker, if I'm understanding your testimony correctly, you are in opposition to the amendments?

>> Yes.

>> Tovo: To the amendments that would allow the 3500-square foot cocktail use as conditional

[3:05:14 PM]

along 12th. Is that --

>> Correct.

>> Tovo: Okay. Thank you. Because we have the planning commission recommendations and the staff recommendations, and then we have councilmember harper-madison's amendments -- staff recommendations with amendments, so we have three sets of different things. And I just want to ask the speakers if you could make it clear as you come up if you're in support or opposition, where you align with this.

>> Mayor Adler: Thank you. Next speaker.

>> All the speakers are speaking on 31, 53, 354. 54. John followed by Erica.

>> My name is Colin. That was my wife. You're going to hear a similar story. I want to share my own experience, expand on that a little bit in opposition to, I guess, Natasha's change to

[3:06:15 PM]

having more bars on 12th street. I've been in the house six years. My experience has been, outer heaven, just doesn't obey any sort of sound permits and keeps us up at night. We spent an inordinate amount of money and calling 311. I pulled the records and there were hundreds of complaints. Nothing has happened. Let's see. We got -- the economic development office, the music department, we've called and dealt with them. Sound metering proved they're way over the sound ordinance. They didn't have a sound presenter. Permit. Net net, it seems to me that those systems aren't working. They fall under your purview. I don't have faith in those systems. All four offices are supposed to listen to us. This seemed like a last-ditch

[3:07:16 PM]

effort to chat with you guys and hope you hear some of us. I've talked to tons of our neighbors that have a very similar experience. In addition to the noise, there's -- I've been verbally assaulted. A drunk patron came into my front yard threatening me at all hours of the night. I was up because of the music, outside pissed off. Someone walked into my yard and started threatening me. This is my house. I'm going to call 911. He left, picked up a rock, threw it into a car, threw a rock into a car. This is kind of a family neighborhood. I don't want more of this in my neighborhood. And so I want to say that I'm fully against it and I don't know the terms. I've never been to city council. I don't have a lot of faith in our city systems. But I couldn't tell you which amendment it is, but there's some passion here. There are a lot of people in our

[3:08:17 PM]

neighborhood who want nothing to do with more of the problem, so I hope that whatever the terms are for -- I don't know, opening this up to more comments and more from us and not having more bars, unless possibly these other mechanisms for enforcing existing ordinances can be fixed. That's all I've got.

>> Mayor Adler: Thank you. Next speaker.

>> Erica Suttle, followed by Eric Stanbridge.

>> Hi, I live on east 13th street. I live in a single-family home that is adjacent to the amendments to the 12th street. And I am against these amendments to the 12th street. I do not want more bars and issues that they bring. And I lost sleep last night trying to figure out how to say this, but I feel like members of our community have reached out.

[3:09:18 PM]

We've reached out in person, we've reached out by phone, we've reached out by email and we have asked for information about what is being proposed on 12th street. And our requests were met with I don't know or radio silence. So, nonetheless, on Monday we did find some information. And clearly some plans have been in the works. I don't know what the reasons were for this lack of transparency, but I do know it feels like our concerns, our interests and our right to know were being disregarded in this lack of information. So that's all. Thank you for your time.

>> Eric stanbridge and then Tobin levy.

>> Good afternoon, mayor, councilmembers. My name is Eric stanbridge. I have lived on juniper street for almost 20 years.

[3:10:19 PM]

I've watched that neighborhood be transformed from boarded up buildings and vacant lots into affordable homes and thriving small businesses. We have bars. We have a community. We have participated in decades of community meetings about how to try and make this neighborhood safer, better, more walkable, more livable. Everything that we have ever understood to be normal process in the city of Austin has been undermined by this nccd case. This has taken two years. And it ended up being an online possible that created some bar graphs that now says that every street in our neighborhood should be a bar. That's crazy.

[Laughing] We did not ask for this. We have never wanted this kind of community to be just rampant with no rules. The only thing that this community has tried to do is

[3:11:20 PM]

help each other and make it more livable. We have welcomed development. We have tried to encourage preservation. But this amendment represents Rainey street for 12th street. 11th street has all the entitlements that it needs to be a real development that's meaningful for the city. There is no reason to accept this motion. I plead with you, please reject this motion to the nccd case. Thank you for your time and for your service.

>> Tobin levy, and then Austin Barry.

>> Hi. My name is Tobin levy. I'm an Austin native and I've lived in and owned my home on New York avenue for the past eight years. I'm one block south of the east

[3:12:22 PM]

12th corridor in east Austin. I'm an artist, a writer, and an editor. And I spend much of my free time volunteering for and/or raising money on behalf of local nonprofits. Over the years, this has included caritas, the S.A.F.E. Alliance, women in work, big brothers big sisters, forklift dance works, ham, the university of Texas press, urban roots, and the Texas book festival, among others. In addition, I'm a member of the Keeling neighborhood association. I'm deputy voter registrar. And when needed, I work the polls on election day. In short, I care deeply about this city and my community. It is with this in mind that I am writing -- that I would like to express my opposition to the proposed addition of a conditional use overlay that would allow bars where current zoning prohibits them on east

[3:13:24 PM]

12th street, urban renewal project, and the nccd area. The current land use prohibitions and site development standards reflect not only years of hard work but the community, the urb and nccd, but also concessions and compromises on the part of the community made in good faith to ensure that our neighborhood remains safe, family friendly, and respectful of the rich cultural and music history that's been integral to Austin's advent as the live music capital of the world. More specifically, the community acquiesced to development that would deliver housing, retail offices and commercial spaces with the understanding that these spaces would serve the daily unequivocal needs of the city's growing population. All parties agreed upon -- or

[3:14:24 PM]

they agreed that additional bars, clubs, and loud event spaces do not in any way shape or form constitute a need. Downtown Austin literally has the highest number of bars per capita in the entire country. The fact that the majority of residents do not need or want more bars, cocktail lounges or live music spots -- I'm sorry -- given this finding and that the proposed overlay would allow for such venues was not recommended by the U.R.B., I am at a loss to why you would consider a change that has so little public support and that if approved will irrefutably damage the lives of so many people who, like me -- [buzzer sounding]

>> Love Austin, care about the community, and work hard to keep it a kind and beautiful place to live as it continues to grow.

>> Mayor Adler: Thank you.

>> Please ask yourself how you would feel if someone decided to

[3:15:25 PM]

recreate Rainey street next to your house. How comfortable would you be with the noise, trash, and patrons after a night of drinking who get behind the wheel of a car and drive past your home on their way to theirs?

>> Mayor Adler: You can conclude if you want to.

>> What?

>> Mayor Adler: You've run out of time, so I'm going to let you conclude.

>> Oh, sorry. What we need and hope you'll consider is to leave in place provisions to keep homes permitted on east 12th street, permissions as they are. And no more bars, clubs, and loud event spaces. It's a neighborhood.

>> Mayor Adler: Thank you.

>> Thank you.

>> Austin Barry, followed by Patrick Houk.

>> First off, I'd like to thank everybody for wading through this complicated issue and taking the time to understand it. There's a lot of nuance, and someone always has to be the first in favor of the motion. My name is Austin Barry, and I own property located at 1308

[3:16:28 PM]

rosewood, 1310, and 1153 San Bernard all located within the 11th street nccd and currently zoned subdistrict 1 and 2. The recommendation by the planning commission to create a new subdistrict 4 within the east 11th street nccd for these properties will result in significant down-zoning. I am against that and I'd like to fully state my position on that. I fully support councilmember Natasha harper-

madison's recommendation and city staff's recommendation and urban rule board's revised recommendation to not create that new form, subdistrict 4 within the 11th street nccd. Thank you.

>> Mayor Adler: Thank you.

>> Patrick Houk and then Eric Jansen.

>> Good afternoon. I was initially neutral, but since mayor pro tem's amendment

[3:17:28 PM]

was posted late yesterday, I'm in opposition to additional cocktail use. So, good afternoon, mayor, councilmembers, my name is Patrick Houk, an east 12th street homeowner for about a dozen years and I currently serve as the president of the Keeling neighborhood association. Back in the fall of 2021, the contact team and I touched base about changes that represent a departure from the task of regulatory alignment of the nccds. These changes do not support the vision for a street of existing and new residential office and retail uses. One change in particular impacts my home and many others, a single-family duplex and townhomes are proposed to be prohibited on a street where residential is a long-standing use. They are consistent with the vision. They contribute to the stability and place-making of central east Austin in this portion of the African American cultural heritage district. They are occupied by long-term, 60-year homeowners, renters and

[3:18:31 PM]

neighbors. It's hard to understand why their use should be jeopardized. The organization of central east Austin neighborhoods and property owners urge you to ensure that the residential uses permitted and established on nearly half of east 12th street remain fully permitted, single-family duplex and town townhome. The board created a draft for conforming status for existing uses. Would you want your homes to rest in a line or two in a plan? The regulatory documents need to add single-family and other residential uses back into the charts, both in the urp and nccd. Make sure your motion instructs staff to include single-family duplex and town home in documents, land use charts, fully permitted. This process began as an assignment to align the renewal plan with the nccds. We heard the 12th street nccd is not changing. Somehow recommendations brought by staff took us to a place

[3:19:32 PM]

where a lot of homeowners are potentially facing a huge change that is unnecessary. When we met last fall, we asked there be no surprises from council regarding amendments to the nccds. 12th street we heard was not changing. Now we are facing a last-minute change posted less than 24 hours ago for a two year plus process which was supposed to align regulatory documents, not change them. Cocktail lounge use requires cs1 zoning and is prohibited on east 12th street except at 1808-12. Yet councilmember harper-madison proposes to permit this use along the entire street to enable bars and music venues with a conditional use permit, and to allow its right at several addresses. Even though no lots are zoned cs1. Why and for whom? We ask for bars next to our families homes, not the neighbors involved in this process for 2 1/2 years.

[Buzzer sounding]

>> I urge you to pull these

[3:20:33 PM]

items for discussion. Keep the public record open for second and third reading. You can clarify -- I'm almost done -- the nccd draft is going to be posted in its entirety for stakeholders and the public to review. It isn't posted? How is this fair to the community?

>> Mayor Adler: Thank you. Councilmember Renteria?

>> Renteria: You know, you said 60 years ago. Do you realize 60 years ago in that area it was predominantly a black neighborhood? I mean, there was no white business owners.

>> Of course.

>> Renteria: I just want to make sure that you understand that it was a segregated community where all the blacks lived.

>> Of course.

>> Renteria: Okay. Thank you.

>> Mayor, I just want to clarify. Under the rules that we're operating under that have been changed by the legislature, while we have to technically close the hearing, you can come and talk to us anytime it's on the agenda by the rules. So we can't actually -- my understanding is we can't actually close the hearing the same way we could before as it

[3:21:38 PM]

proceeded through readings.

>> Mayor Adler: Yeah, there will be an opportunity to speak each time this is in front of council for a vote.

>> Alter: So the rules changed, but now there's an opportunity anytime it's on our agenda.

>> Okay.

>> Mayor Adler: Anytime it's on our agenda for action. Thank you.

>> Eric Jansen, followed by Susan Oringer.

>> Hi, there. I'm Eric Jansen. I live at 1511 east 13th street. My property is directly adjacent to the properties zoned under the 12th street nccd. You know, you asked us to say what you're for and against. I'm against the recent last-minute amendments to permit conditional cocktail lounge use all along 12th street. I'm generally for the urban

[3:22:39 PM]

renewal plan that has been under way for a while, including the allowing the single-family homes all along 12th street. I think the council knows the history of the area, but a brief reminder of it is the nccd, the 12th street zoning was structured as a compromise between the neighborhoods and the developers and property owners on 12th street. The central idea of the nccd was that the homeowners would give up compatibility requirements that are in place all throughout the city of Austin and agree to greater heights and reduced setbacks in exchange for a set of compatible uses for the properties on 12th street such as no cocktail lounges, no liquor sales, no drive-throughs, and a variety of other restrictions. The amendments that have come out on Monday, three days ago, we heard about them three days ago but we didn't receive the full text until less than 24

[3:23:40 PM]

hours ago, are not part of the recommendation of the U.R.B., the planning commission, city staff, or organization of central east Austin neighborhoods in that it's hard to figure out where they came from. There's been a two-year process to align the documents. Where were those voices? Don't pass last-minute changes like this on consent. This is our neighborhood. We want a livable neighborhood and

you've heard the neighbors here passionately talk about the problems that come with turning a street -- with authorizing bars, with turning a street potentially into an entertainment district. I want to thank the mayor and the council for their time.

>> Susan Oringer, followed by Lee Sherman.

[3:24:43 PM]

>> Hi, I'm speaking in opposition. So, my name is Susan. I'm a resident of Davis Thompson. I live on 13th street. My family will be impacted. I am the mother of a special needs teen. We chose to live in the neighborhood for a calm environment for him. We are a neighborhood of working families, seniors, longtime residents, and for many years have been craving development of compatible services for 12th street. Such as markets, you know, anything that would be walkable. That's what we have all been wanting, not empty lots. And I just don't understand what bars have to do with providing more housing. But no one I know on my street is asking for more bars or outdoor music venues. In fact, we are struggling now

[3:25:45 PM]

with the ones that are grandfathered in. This is our neighbor's biggest complaint, and hundreds of calls to 311 from loud music from Friday to Sunday until 2:00 or 3:00 in the morning. Even on Easter Sunday. The bass from these bars and outdoor music events cannot be escaped even indoors with new windows put in and sound proofing. It comes into our house and wakes up our children. We cannot sleep. The changes proposed have been with zero community outreach other than a survey that hardly any neighbors were aware of. The results of the survey is only 18% of people who filled it out list that had bars and cocktail lounges and outdoor music were a priority. Our district rep office did not release any intentions until yesterday. We've been asking for details for weeks. None were given, even in the Tuesday work session. I invite you to please visit our

[3:26:45 PM]

neighborhood. It's a wonderful, diverse neighborhood -- and see for yourself. There's single-family homes lined up and down 12th street and adjoining streets. And it's just not -- please do not turn us into a Rainey street or Red River. None of these people that are wanting this, they're developers and bar owners. They don't live here. They don't have young children. They don't have to get up and go to work the next morning. Please vote no and don't turn us into Rainey street or Red River. And please pull the items for discussion. Don't pass. Keep open the public hearing until staff returns for second and third reading. Thank you for hearing and that's all. Finished within time.

>> Mayor Adler: Thank you.

>> Lee Sherman and then Michael Young.

[3:27:46 PM]

[Buzzer sounding]

>> Councilmembers, thank you for hearing me. My name is Lee Sherman, a native Austinite. I've lived for 36 years in east Austin, 13 on New York avenue where we own a modest home. I'm a public servant with 14 years at the city as a water resources engineer. My wife is a registered nurse at Seaton who has been serving COVID victims. We have two amazing daughters, Georgia and Ruby, 9 and almost six in elementary school. Our home backs up to east 12th street. These changes affect our family. Because of the possibly

impacts we have followed these changes and participated in good faith for years through the neighborhood association and neighborhood planning contact teams who represent us through covid lockdowns. Thank you, Nate, Clifton, and Patrick. With our busy lives, it's

[3:28:46 PM]

challenging to follow a technical process described as reconciling and streamlining the nccd. It gets even harder when last-minute major changes are proposed. We've been requesting to see any changes like this with time to review for months and were promised no surprises. Given this surprise, we ask y'all to pull the items and keep the public hearings open and clarify when the nccd draft is going to be posted in its entirety for us to review. We worked hard on this issue even last December and were told a postponement was needed to obtain greater community outreach. This resulted in a March push-pull as described by a statistician who develops surveys. Was that postponement about representing the community better? We've been consistently against expanding bar and alcohol uses. Even in the push/pull only 18% wanted expanded night life and likely very few of those would have to deal with the noise. We believe we can support the vision of a rich, vibrant

[3:29:47 PM]

African-American cultural and heritage district without turning 12th street into a bar district. It's hard for me to be here right now. I don't like doing this. My neighbors, many of them can't be here due to their schedules or health concerns. So this is for them, too. And this is one of my points. We don't want to constantly fight to maintain our neighborhood as a residential neighborhood. This is why we want to keep all 27 prohibited uses in the nccd prohibited. We want to keep the homes on the street fully permitted. We want to keep site development standards as they are. They were highly negotiated over the years to balance latitude for development with guard rails to ensure quality of life for residents. With the proposal to add bars and cocktail lounges as a conditional use where zoning currently prohibits, we have to be vigilant and ready for battle. If we fail we deal with loud music, alcohol distribution, drunken party-goers, and compromised quality of life. We have a property directly

[3:30:47 PM]

behind our house and can't have noise back there. We need sleep. My children get up early to go to school. My wife and I need rest to continue our public service. We have a number of senior neighbors with health issues and they need their rest, too.

[Buzzer sounding]

>> I want to thank you all for hearing us. I hope you'll listen to our words and consider the equity side of this. With this change in process, would it fly in Hyde park? A warning to our neighbors, this could be coming to you. Conditional uses can override base zoning.

>> Mayor Adler: You can conclude.

>> So get ready. Thank you.

>> Mayor Adler: Thank you.

>> Michael young and then Pam maderi is on deck.

>> Mayor Adler: Sir, just to repeat, one more time so that everybody knows, if this passes on first reading today, there would be -- it would be open for public comment at any further readings.

>> Mayor.

>> Mayor Adler: Go ahead.

>> Councilmembers. My name is Michael young and my wife is Elizabeth.

[3:31:49 PM]

And we have owned a commercial property on 12th street running near San Bernard in the nccd zone. And during that time, this has been our place of work and we have a long history of commitment to the revitalization of the 12th street corridor. Our building, we designed and over the years have built a 25,000 square foot commercial building that is for professional offices. And we have -- we are the first ones to build a project in this neighborhood like this. And it's a beautifully designed project. And we believe that it will bring good commercial development to this neighborhood.

[3:32:49 PM]

It will be an example of what good development could be. Early on, I guess around 2003-2004, public meetings and discussions were organized and mediated by the A.R.A., the Austin revitalization authority. And these well-attended meetings with as many as 150 stakeholders both residential and commercial, business, people who live there, people who work there . . . We would have these meetings. And we had so many meetings for years, years this has gone on, about -- and the first ones were really about discussing what

[3:33:50 PM]

were the pros and cons of prohibited uses and proposed uses that were not prohibited. And this is -- and this was -- in these meetings, all these neighbors -- people were brought together. And this went on for a couple years. These were hard. These were difficult. People -- your neighbors, you would have to discuss these hard things, difficult. But there was a mutual respect for listening to each other's sides of these issues. But one issue that was unanimously supported by everyone was not to have bars on

[3:34:51 PM]

12th street. No one wanted that. What everyone felt was a great deal of the 12th street corridor is residential, a lot more so than commercial.

[Buzzer sounding]

>> And that this would just have such a detrimental effect on the development and revitalization of this neighborhood.

>> Mayor Adler: You can conclude, sir. You've run out of time, but you can finish your thought.

>> What I propose is that there should be at least public hearings of stakeholders and people who really are involved in this neighborhood, and that these issues can be discussed.

>> Mayor Adler: Thank you.

>> And voted on. But I am against this amendment.

[3:35:52 PM]

>> Mayor Adler: Thank you. Next speaker.

>> Pam maderi, and then Carrie slater.

>> Thank you. I was not registered to speak, only to show support for harper-madison's motion. Thank you.

>> Mayor Adler: Thank you. Next speaker.

>> Carrie slater? Jake bergal.

>> Mayor Adler: Okay. Next speaker.

>> Rebecca Leonard. And gaba wazeri.

>> Good afternoon. I'm Rebecca Leonard. Thank you for hearing us today. I'm founder of lion heart, an architecture firm. We were hired a few years ago to

[3:36:52 PM]

work with international experts on a framework plan for eureka's properties. We took great pains to digest all of the planning documents that pertained to this area, such as the urban renewal plan and other neighborhood plans and positions. These plans consistently speak to a desire for uses that allow people to live, work, and play in the area. They speak to affordable and missing middle housing types and destinations for cultural expression like dining and dancing, and music. Our evolving framework was based on that urban renewal plan. When we became aware that this process to renew the urban renewal plan and the nccd in February of 2021, we were originally in support of the effort. It was explained to us as council's effort to align the nccd with the urban renewal plan. Given the confusing nature of

[3:37:53 PM]

overlays and things over there, this seemed like a wonderful step towards providing clarity for all land owners in the area. As the proposal came through the urban renewal board and the planning commission, it began to deviate from that council direction and the direction set forth in the urban renewal plan. We do not support the recommendations of the planning commission to council. Specifically, we have concerns with uses, height F.A.R. And buildable square footage. In the cs mixed use district over 40% of the uses that are currently permitted or permitted with conditions will become prohibited under the proposed recommendations. Another 15-20% of uses that are currently permitted would be permitted with conditions. So in other words, by right ability to do over half the uses would be taken away from land owners if these recommendations

[3:38:54 PM]

passed. The uses being taken include essential ones to deliver on the vision of the urban renewal plan such as all residential types except for multifamily, all those missing middle housing types. Civic uses that support residential needs such as daycare, uses that would support the six square culture district such as restaurants, hotel/motels, retail sales and cocktail lounges. Uses that could provide revenue for historic homes in the area like medical offices or food preparation and uses that would close the gap on access to healthy foods such as community gardens and urban farms. Furthermore we believe that an area located on a transit corridor should have no further reduction of height, F.A.R. Or buildable square footage than that reflected in the urban renewal plan. These standards are the conclusion of decades of conversations with the community and to change them with little discourse would disrespect that

[3:39:55 PM]

process.

[Buzzer sounding]

>> We do support councilmember harper-madison's motion as described in her message board this week.

>> Mayor Adler: Thank you.

>> Kitchen: Mayor, could I ask this speaker a question?

>> Mayor Adler: Yes, go ahead.

>> Kitchen: A lot of the testimony we're hearing right now is related to specifically to the -- I guess it's cocktail lounge use.

>> Mhmm.

>> Kitchen: And so do you have an opinion on that that you can share?

>> Some of the currently allowed cocktail lounge sites are ones that eureka does own. So we currently have the use to have a cocktail lounge on some of eureka's property. I believe that with the idea of a cultural district, that you need to be able to service people who come to experience the cultural of that place with food and beverages. So, I do understand that we need to put precautions in place. And when we have enforcement

[3:40:56 PM]

issues we need to address those. But as a use in the neighborhood, a cultural district, it seems like an appropriate use to me.

>> Kitchen: And if I could ask one last minute. And if this is not an appropriate question for your role, then just say that and I can ask it later. But is the proposal that's in front of us allowing greater use of cocktail lounges than is currently allowed?

>> I believe councilmember harper-madison's motion would include more cocktail lounge than what exists today in the urban renewal plan.

>> Kitchen: Okay. Thank you.

>> Mhmm.

>> Mayor Adler: Councilmember tovo.

>> Tovo: I had a quick question for you as well. And this, too, like councilmember kitchen's, may be beyond the information you have. But I wondered if you could remind us how many properties along 12th street eureka owns?

>> I don't have that number right off-hand. In this -- not all of them are

[3:41:57 PM]

in this 12th street nccd area.

>> Tovo: Right. I know there are properties in other areas that eureka owns. I was just trying to get a sense of how many they own along 12th street.

>> Mhmm. I don't have a number for you.

>> Tovo: Okay. Thank you.

>> Thank you.

>> Mayor Adler: Next speaker.

>> Garba followed by Stacey Williams.

>> Good afternoon, mayor Adler and councilpeople, I'm a local resident here in Austin and a former east Austin resident having spent six years there. I work with several business owners from my community and voice their concerns and share their vision and just want to state we support city staff and the urb's recommendation and vision for the community and we vote to approve councilmember harper-madison's motion to adopt the staff recommendations with her proposed modifications. Thank you.

>> Mayor Adler: Thank you.

>> Stacey Williams and then

[3:43:00 PM]

Carmela green.

>> Good afternoon, y'all. I'm Stacey Williams. I work in the area. I've lived in the area. A couple of things that I wanted to address. First, I want to say that I'm in support of allowing the cocktail lounges and the activities that have been proposed for the area. I don't need to give a history lesson here to y'all. But what I'm listening to is the community members coming in. They've been here for eight years or so. I want us to consider what Austin is as a city. We are the live music capital of the world. All the fanfare, all the wonderful things that make Austin so cool are directly influenced by what was happening on the east side of the highway once upon a time before all the things happened that make it not there anymore. The way that this could work and the way it should work for our community is this is a making

[3:44:01 PM]

right. If we want to pay attention to and preserve the cultural heritage of that area, we have to let it be what it was, which is a space for people from all over the community to come and gather, and listen to the music and enjoy they Obama Obama the liobama libations. The things brought up here are indicative of other things. I'm going to tell you what I hear when people say safe neighborhoods and meeting the needs of the community. That sounds like coded language to me, because that community is based and rooted in black and brown arts and culture, arts and cultural businesses, small businesses, mom and pop shops. Many of them are no longer there, but that's what that community and Austin was built around, believe it or not, whether we want to admit it as a city or not. Our city was built on the culture that is east side of the highway that does not exist

[3:45:01 PM]

anymore. The least that we can do is try to recreate and preserve that heart, that heritage, that soul that makes Austin weird, that makes Austin the live music capital of the world and to be frank, it was an entertainment district. That's what it was for. It's for us to go and live and be free and be at peace and be together as a community. That has been taken from us over the last 30-40 years. There's been people that have been working hard to maintain and sustain it, white-knuckle holding onto it. Some people said there was nobody telling them anything. That is a glaring indicator of the segregation within Austin, Texas, because they have been having all these conversations for years. You ask any of the black arts and cultural organizations and the black and brown arts and cultural organizations in that area, we've been talking about cocktail lounges and reviving that for years as well.

[3:46:01 PM]

Maybe we cross the lanes and talk to each other more and we wouldn't feel so left out of the loop. But that culture that we are trying to preserve includes cocktail lounges.

[Buzzer sounding]

>> It includes juke joints. That's the only space in Austin where everybody has been able to come, gather, and be human. And we must preserve that. I'm in support of what Natasha harper-madison put up. We need to allow this district to begin again of what it's supposed to be. We need to restore the heart.

>> Mayor Adler: Thank you.

>> Carmela green, and then Abby gilifan.

>> First, please vote to approve downwoman harper-madison's motion to adopt the staff recommendations with her proposed modifications. Hello, my name is Carmela green, a current east Austin resident on 13th in district 1. I've lived in Austin for ten years. The east side is special to me

[3:47:03 PM]

and many other black people who understand the history. We are fighting to preserve the cultural arts of this community, the music, and the location that so many transplants enjoy is because of us and we will not be erased due to gentrification and neighbors who complain about this side of town. So many of them claim to be Progressive and believe in equity, but if that's the case, why live in an area known for night life that has ties to freedom communities? I've spent my time on the east side attending houston-tillotson university and working within this community, spoken to countless community members, as well as leaders, and we all have -- all we have left is our culture. For these reasons we support city staff's and the urb recommendation and vision for the community and we support the recommendation, but would like to see the council include cocktail lounge use because it is important to the vibrancy of the community. Thank you.

[3:48:11 PM]

>> Abbey gilifan. Mayor, that's all the in-person speakers we have, so I'm going to switch over to the remote speakers.

>> Mayor Adler: Thank you.

>> Oh.

>> Mayor Adler: Is there an additional person here that thinks they signed up?

>> Yeah.

>> Mayor Adler: Why don't you come on down to the clerk.

>> Matthew altshue.

>> Hi. I'm a homeowner off of ridgeway and 12th street. I believe the district 1 office reaching out to the community and incorporating the feedback for the amendments. They did a good job balancing the various perspectives. I've walked a handful of new drinking spots that have popped up in the past few years. Me and my neighbors rejoiced when birdie's opened up. We finally had a place to walk

[3:49:12 PM]

to. I believe we shouldn't shut the door on the opportunity to allow more. Complete neighborhoods are those that have a variety of cafes, restaurants, and bars that appeal to a variety of individual preferences. It is much better to be able to walk to a neighborhood bar than to have to get in the car and drive downtown. More people walking or biking, businesses discourages crime and supports Austin's goals. Councilmember harper-madison's amendment allows for a diverse mix of housing and businesses, which is key to encouraging and sustaining a vibrant, walkable community that lives up to the character of this significant corner of town. I encourage the council to support councilmember harper-madison's motions. Thank you.

>> Tracey Whitt.

>> Hello, can you hear me?

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

[3:50:13 PM]

>> Okay. Thank you. Good afternoon. This is Tracey, a 22-year resident, serving on the neighborhood contact team. Since 2019, many of us have been following the work to align the plan with the nccds and streamline them. The U.R.B. Signed off on drafts and it's been nine months of postponements to make it here today. Given the district 1 motion sheet posted last night, I urge you to pull all three items for discussion and keep the public hearings open. The complete nccd text that the U.R.B. Signed off on has not been posted for review. Have staff execute whatever direction you give today, also be available for a public hearing before you vote on final readings. We appreciate public confirmation that motion a1 means that all uses currently allowed by property zoning should be permitted minus the 27 uses prohibited in the east 12th street nccd. That is what I understood from

[3:51:14 PM]

the office but would like to be sure I have that right. However, a2 says cocktail lounges will be permitted anywhere within the east 12th street nccd irrespective of zoning. Normally one needs cs1. There are only two addresses with that zoning. Dozens of homes, apartments, condos, and vacant space do not have cs1. It is not a difficult to achieve from the planning commission. Allowing a bar or music venue to be established on land where the base zoning doesn't allowing cocktail lounge use is a big departure with big impact on surrounding property and people. The prohibited cocktail lounge use as a trade for relaxing height limits and setbacks on shallow lots. This compromised tailoring uses in exchange for reduced regulations was to serve the goals of revitalization. That was a huge piece of consent consensus-building because we could imagine a day when the vision would be disregarded,

[3:52:16 PM]

housing, offices, and daily commercial services. Motion a2 will undo not only the community's work but also that of the urban renewal board commissioners who don't support expansion of alcohol use permission. They endeavored for more than two years to execute your assignment to streamline the documents, not radically transform them. Consider this amendment. Alcohol uses are more lucrative than housing. They are places people go to make a lot of noise. Expanding that activity without having the discussions one has during individual zoning cases will increase the likelihood that the potential of this street is squandered and does more to destabilize the community. That cannot be the point. To councilmember tovo's question about how many properties does eureka own within the urban renewal plan area, you can look at a statesman article called buying up the block. Since then, they've probably bought at least five more. I'll be happy to send you an

[3:53:19 PM]

updated list if you would like one. Thank you.

>> Mitch oringer.

>> Hi. My name is Mitch oringer. And I'm a resident of east 13th street. And I just want to say that this is a neighborhood. It's not an entertainment district. So in more loud spaces where we can't even hear ourselves think. Let's make this back into a neighborhood the way it should be. Thank you.

>> Nathan Jones.

>> Good afternoon. You can hear me okay?

>> Mayor Adler: Yes, go ahead.

>> Yes? All right, fantastic.

[3:54:19 PM]

Thank you. Thank you for that response. All right. I'm Nate Jones, president of the organization of central east Austin neighborhoods, requesting that you support an alignment package for the urban renewal plan in east 1st and 12th street to preserve current regulations. These documents represent thousands of hours of community negotiation and compromise to provide additional height and/or relaxed setbacks to enable properties to more easily deliver a mix of retail housing and commercial services, in a manner that complements the existing context of homes, businesses, and civic institutions. Residents along and nearby the street gave up compatibility protections for a more tailored set of permitted uses that promote the shared vision for pedestrian-oriented places to live and access one's daily needs. For more than two years and as

[3:55:20 PM]

tasked, the urban renewal board has worked diligently to streamline these documents for ease of use and align them to eliminate contradictions. Their drafts are clear, much more concise and largely reflect the board's stated intent to carry forward the existing development standards. However, they do propose a few substantive changes and we anticipate others may come from the dais as they have. We ask you to ensure the following are not part of the documents you ultimately adopt, as they undo the fundamental agreements around which this community coalesced. Number 1, prohibition of single-family use and restriction of condominium and town house uses within the east 12th street nccd and along the side streets of the east 11th street nccd. Two, increase in maximum height via a density bonus program or any other means. Three, expansion of alcohol-related use permissions where currently they are prohibited. Four, expansion of use

[3:56:22 PM]

permissions for any other uses currently prohibited or limited by the nccds and five, unlimited F.A.R. On lots where currently it is set by base zoning or nccd provision. Thank you and your staff for your time and thoughtful consideration of our requests. They come from a place of respect for all the stakeholders before us and among us who made significant concessions to balance interests and promote a shared vision for revitalization. Thank you again.

>> Mayor, we have two more that are in person. First, Harold Mcmillin and then Zenobia Joseph.

>> Good afternoon, mayor and council. I'm happy to be with you today. Bob Marley would say I've got so

[3:57:24 PM]

much things to say right now and I won't have time to say them all, so I'm going to try to drill down on a couple of things. First, the folks who spoke, they're my neighbors. They live a few blocks from me. I live on juniper street. I run a business on city property on 11th street. I'm a member of the Robertson hill neighborhood. And I've been doing art and culture work in central east Austin for the past 30 plus years. I think longevity should have some benefit. My colleague mentioned that these folks are speaking in terms of six or eight or ten years or whatever. That is significant. But part of the subtext of a lot of the testimony that we've heard so far is actually using the word "Preserving" our

[3:58:30 PM]

neighborhood. Some of us have been having that conversation in a remedial way for the last 30 years, because our neighborhood was not preserved. Otherwise, a lot of the testimony that you're hearing today wouldn't even be possible. There was the implication that there was some shadiness or lack of transparency. Politics tends to play out in the neighborhoods, too. These folks who are criticizing councilwoman harper-madison about the speed with which she was able to get a document together -- my organization -- my neighborhood organization, Robertson hill is supposedly part of ocean, and the person who just spoke representing ocean, which is the organization of central east Austin neighborhoods, we didn't get

[3:59:31 PM]

that memo in Robertson hill. Robertson hill was not represented in that statement, except for one member who lives down the street from me that I know. But our organization did not get the heads-up that got folks to come up with testimony that was scripted because they got together and planned this. They did not talk to our -- they didn't talk to me. This stuff really is directly connected to me, and there was not transparency on that. So on second reading, you're going to see a whole bunch of more people 12th street is the dividing line between robertson hill and sweet hill. Mostly you're hearing from sweet hill. In closing, years of work have gone -- that is correct.

[4:00:32 PM]

I've been involved at some level and almost all of it -- the vision is a good vision. Those are great planning documents. Some of us have also been trying to establish and actually take the city take seriously that in terms of African-American culture, that's the cradle we're talking about and the city was complicit in helping to erase it. We're trying to re-establish that. We need venues that have amenities that attract people to art, culture and heritage districts. That doesn't mean everybody wants to get drunk and shoot people. Where do these people go out to a drink with their dinner? Where do they go to listen to music?

>> Mayor Adler: Thank you.

>> Zenobia Joseph?

[4:01:38 PM]

.
>> Thank you. I want to make a few comments as relates to the east 11 and 12th amendments. I want to call to your attention council member district Harper Madison's motion sheet -- I have two recommendations. One is if you look at civic I'm requesting you include cultural services as relates to historic as -- it's listed under commercial. Let me read the urban renewal board information for people who are listening. The you are been renewal crafted and recommended the following statement for the urban renewal plan. Champion sustainable revitalization -- it goes on to talk about achieving equity and east Austin's cultural history.

[4:02:39 PM]

If you go on to the motion sheet it doesn't include culture and history. It does have transportation terminals. You can remove the slide. So I just want to say as it relates specifically to transportation, I recognize the need for transportation hubs, but I just want to say I do agree with council member Ellis when she says that knowledge is power. I want you to recognize that route 6 travels on 12th street, but

it interlines with 237 which goes to community first village and 339 tuscan, which serves Craig wood. While there may be robust transportation coming it's not all in district one. I want you to understand those two buses run once an hour -- that's ten times longer than southwest in central Austin. When you talk about preserving the history I want you to recognize, mayor, there needs

[4:03:41 PM]

to be some recognition beyond the March 4th apology that you gave us. I want the city manager to recognize that I testified on July 29th, 2021 and the next day you had Bryan oaks submit a letter into the back-up to say he wanted an extension until January 2022. Where's the black embassy? If you really mean anything for the black community besides equity a nauseam -- you can put amendments space for the black embassy. It's doable. You're going to put excessive height in sub district three, which is I-35 -- you're going to put maximum height there. For the community benefit for the black people moved there

[4:04:41 PM]

through the city plan, as you're aware, deserves some type of restoration. You can do it. Mayor, you took credit when you said good-bye to council member Casar. I don't know why you have an aversion to black people but I believe you have a good heart. You can do a good thing by including black embassy. If you have any questions I'll address them at this time.

>> Mayor Adler: Thank you.

>> Mayor, I believe that includes all the speakers.

>> Mayor Adler: Thank you. That gets us back up to the -- okay. Come on down. Would you check in with the clerk here.

[4:05:44 PM]

>> This is Jake furtle.

>> Hello, mayor, members of city council. I would like to thank the district one office for taking feedback from the community to involve us in future city planning. I'm not usually someone with the first or loudest voice in the room so a comprehensive study like provided was a great way to start the conversation in our neighborhood. I live near 18th and Salina. I am a member of the community. I appreciate the way the survey took in and bounced various perspectives and input from our community. One of the greatest parts of living in the east side is the ability to walk to nearby bars and restaurants to hang out with old friends or meet new ones. The ever changing landscape is exciting and I would not want that to go away -- whether

[4:06:44 PM]

grabbing dinner or singing karaoke. The times I've spent at new bars and restaurants have been some of my favorite moments of living in the neighborhood. It not want to stop this opportunity for new bars and restaurants from opening up. Being able to safely get to and from a bar within a walking distance is a major draw of living in the neighborhood. It's good not only for the safety of the drivers and pedestrians but also the environment and other nearby businesses getting more foot traffic. I stand with Natasha's amendment. Thank you.

>> Mayor Adler: Thank you. Anyone else to speak? Anyone signed up to speak? Okay. Why don't you take us through

[4:07:45 PM]

the consent agenda.

>> Thank you. Joy harden with housing and planning. Your zoning agenda begins with item 40. Offered for postponement by council member renterria to may 5th. Again postponement to may 5th meeting by council member renterria. 42 -- there's an applicant postponement to may 19th council meeting. 43 -- this item is being offered for consent on all three readings. Of course that's the planning commission recommendation. 44 -- there's an applicant postponement request to may 19th council meeting. Item number 45 -- there's a

[4:08:50 PM]

joint postponement request by the neighborhood applicant to may 5th council meeting. Later rezoning - - neighborhood and applicant joint postponement to may 5th council meeting. Item 47 -- applicant postponement request to may 19th. Item 48 -- there's a postponement request by council member pool to may 19th council meeting. Item 49 -- this item is being offered for consent on all three readings. Item 50 -- this item is offered for consent, second and third reading. Related item is being offered for consent.

[4:09:52 PM]

52 -- there's an applicant postponement to may 19th council meeting. Item 53 -- east 11th street. This item is offered for discussion. Item 54 -- east 12th street. This item is being offered for discussion with related public hearing of item 31. This concludes your reading of the zoning agenda.

>> Mayor?

>> Mayor Adler: Thank you. The consent agenda in zoning. Items 40 through 54 with items 53 and 54 being pulled. Is there a motion to approve the consent agenda?

[4:10:53 PM]

Council member harper-madison makes the motion. Council member renterria seconds. Council member Fuentes?

>> Fuentes: I want to change 43 to 49 to consent on first reading.

>> Mayor Adler: Is that okay with the applicant? Or do we need to pull this item.

>> Pull.

>> That's okay with the applicant.

>> Mayor Adler: Okay. Council member Renteria.

>> Renteria: I want to let the applicant know the reason I'm requesting postponement for 40 and 41 is I seen what they offered but I only got to see it March 28, and I haven't had the chance to look into the

[4:11:56 PM]

proposal. To me right now presently it sounds like an excellent proposal. The community benefit looks really good but I needed more time to reach out to the community since it does have a valid petition to make sure they have an opportunity to see what's being offered and I have a feeling that once they see the offer they might really appreciate it and support it. So that's the only reason I'm asking for automatic postponement to may 5th.

>> Mayor Adler: Further discussion on consent agenda? Council member tovo and mayor pro tem?

>> Tovo: I'd like the record to reflect my recusement.

[4:12:58 PM]

>> Mayor Adler: So noted. Mayor pro tem?

>> Alter: I want to speak to item 47, which is the spice wood springs case. It is being postponed. They met with my office but I want to make my colleagues aware that I do not believe their proposal passes the test for enough zoning. In the various permutations they have made to my office it's consistently failed to take into account their watershed limitations, the limitations we have for construction on steep slopes. So I continue to be willing to add mu, which would allow for residential in their existing commercial area, but I'm not willing to up zone the back of their commercial lot.

>> Mayor Adler: Further discussion? Let's take a vote. Those in favor of the consent

[4:13:58 PM]

agenda, raise your hand? Those opposed? Unanimous on the dais with council member pool off. Colleagues, with that the items that remain for us to decide are the nccd as well as items 16 and 23. I'm going to pull us into executive session. We can hear executive session on 16, 23, come out. I'm not sure how long that will take. Then we can decide the nccd item. Let's get this done hopefully before dinner, if we can. So we're going to go into closed session to take up two items pursuant to government code discussing legal items related to items 16 and 23, guaranteed income -- 23 being

[4:14:59 PM]

the planning commission item. Without objection we're going to do that and come back in. The time is 4:14. I would like to note as we leave the dais that pastor Jimmy Clark died earlier this afternoon. Let's go into executive session.

[5:30:53 PM]

>> Mayor Adler: All right. I think we're back. We're out of closed session, we discussed legal issues related to items 16 and 23. If the dais will indulge me, I want to finish the thought I had as we were closing last time and I didn't. Reverend Clarke passed away this morning peacefully at home. He was 90 years old. Obviously the pastor of east Austin's mt. Sion Baptist church for decades, and the moderator of St. John's. He was a teacher and a mentor, and a leader to so much of this entire city, including me. And I had the opportunity to be with him in his church dozens of

[5:31:56 PM]

times, and to be with him for meals dozens of times. And to the degree that someone from a different faith can say it and mean it, he was my pastor in so many ways. But just a foundational member of our community, and really one of the first people to really make racial accountability real. As a state employee, he was the first civil rights officer in one of the large departments, one of the first to hold that position. And his job was to go around the state in Texas to hold people accountable to a standard that quite frankly no one else supported other than the director of that state agency at the time.

[5:32:56 PM]

And he went into situations that would have been frightening to me, and just one measure of the man. So I think if we could take just a moment of silence to recognize him, reverend Dr. G.B. Clarke.

>> Mayor Adler: Thank you. All right, colleagues, back on the dais. Let's see if we can do something with items 16 and 23 and then maybe break for a proclamation and then do the nccd matter. Item number 16, this is the guaranteed income pilot. I would move that we postpone this to the may meeting,

[5:33:57 PM]

recognizing that we will post on the message board as that progresses, and if it looks like we should postpone it for another two weeks based on how that shakes out and people's sentiment, as we get more detail we can always put it off for another two weeks if we need to. But that would be my motion, to postpone this until the first meeting in may. Is there a second to that motion?

>> Mayor, I have a substitute motion.

>> Mayor Adler: Hang on a second, we've got a motion on the floor yet.

>> Thank you. Sorry.

>> Mayor Adler: The motion is to postpone until the first meeting in may. Councilmember harper-madison seconds that motion. I'm going to speak to my motion. First, I really appreciate the support and the broad support that this has in the community, but I'll willing to postpone this because I think that some of the questions that have been raised give us the opportunity to provide greater detail and a

[5:34:58 PM]

greater understanding. I would like to just mention the organizations that have stepped up in support of this, because I think it's important and shows the breadth of support for this concept. It was access to activism, the alliance for safety and justice, the Austin area urban league, the Austin community lawner, justice coalition, pets alive, avow, safety and justice, district five for black lives, equity action, fund Texas choice, go austin/vamos Austin, gava, grassroots and leadership, indivisible Austin, just liberty, Texas civil rights project, Texas center for justice and equity, Texas fair defense project, Texas harm reduction alliance, undoing white supremacy Austin, workers defense action fund, and the

[5:35:58 PM]

workers defense project. So, pretty wide support. They asked us to do a pilot with significantly greater dollars than is being proposed here now, but I think that the amount that we approved as a body as part of the budget last August remains the appropriate amount for us to proceed on now. You know, we're spending so much dollars in social service to deal with housing insecurities in our city. And we all see it getting just significantly tougher all the time for people to be able to stay and remain here. We're spending tens of millions as a community-wide, hundreds of millions of dollars to help with people that find themselves on the streets. I think it's really important that the city voted in its

[5:37:00 PM]

budget to join with other cities around the country that are trying to find ways to divert people from ending up on our streets, not only to pay to try and get people off once they get there. I think that our homelessness officer had told us as a group as one point that it was -- the cost was \$39,000. It was a significant sum. It was no less than \$29,000 a person for the people that -- we're spending money as we try to get people when they're off the streets to be able to get off -- when they're on the streets to be able to get off the streets. I think it's real important that we try to invest in ideas or concepts that can

divert people from being there, as we collectively did as a group. The resolution to take a look at this was passed 10-1 last summer.

[5:38:00 PM]

When we got into the budget process that we had, the manager put money in the budget to be able to do it. It was part of the manager's budget and we decided as a group to augment that amount, which is the dollars that were in our budget to accomplish that. What I say to my colleagues is let's spend the next couple weeks fleshing out the details and make those public so we can answer a lot of the questions. It's my intent to bring an ifc with this item when it comes back so that we can make some findings associated with what this is intended to do. And the staff has a vehicle to be able to get in front of council what its intentions are in terms of what we're measuring and what results do we want, and even to speak to how households are selected, how this relates to other support that is being

[5:39:03 PM]

given. And speak to how this might help prevent people from ending up on the streets and what kind of information we want, and how we might use that information -- I believe, long-term -- to make government spending less and more efficient if we can address the problems earlier. But I'll bring that ifc. I'll post that next week so that there's a long time for council to be able to react to it. Staff said they would work with us on that so we can get something published for folks to be able to see. And my hope is that once we do that we'll be able to see that the council is ready to move forward with it on -- at the first meeting in November, because I think -- in may, because I think that would be an important thing to do if we can. If it turns out when we post it on the message board there are reasons why we shouldn't consider it at the first meeting in may, then we can always put it off two weeks. But it could be that once we go

[5:40:07 PM]

through that process there are no objections to voting on it the first week in may. And I'd like to give us that opportunity to find out. The other reasons that I hope this moves forward and expect it to when it comes back to us -- and I hope that it will -- in addition to -- I think it's important, the decision that we made, is that this has already been decided by council. If we were to do this change now it's a mid-year budget correction and I've been pretty consistent on the dais pushing back against mid-year budget directions in all kinds of contexts, this one, too. We decided we would spend funds on this. You recall the last day of the budget we had lots of different priorities that we had as a group. And as a group we compromised on those priorities. And I voted for some other people's priority items because that's what they had in their list as we fought to try to reconcile all those. And this was the one that I

[5:41:09 PM]

brought forward with several other sponsors. I appreciate seeing you here on the dais here today. But we went through a compromise process when we created that budget. And I hope that we continue to abide by the decision we made earlier. I recognize there are lots of needs in the city, and we're talking about budget needs and for other kinds of things. As some people have mentioned, that are in next year's budget. But even if we were talking about things in this year's budget, if it was our goal to find a million dollars in our budget, I wouldn't pick coming up with an innovative way to divert people from homelessness as the place where I would do the cut. So, if as a collective group we want to find a million

dollars somewhere in our budget, that's the will of the council, let's go ahead and do that. But I don't think we should start on a project that is --

[5:42:10 PM]

has such wide and broad support in our community or something that is trying to reach out to people in our community that we know are dealing with the most hard and difficult challenge that our community is presenting to anybody in our city right now. And that's dealing with housing insecurity. So, I'm happy to postpone this. I'll post a draft ifc with cosponsors next week and hopefully we can get this to a position where we can consider it the first week in may.

>> Kitchen: Mayor, I think that councilmember Kelly was next.

>> Mayor Adler: She wasn't next. I hadn't spoken yet. She raised her hand. I called on her. She had a point of personal privilege or something that would trump the order, she could have made that. But I'm going to call the person who seconded the motion.

[5:43:11 PM]

Councilmember Fuentes.

>> Fuentes: Thanks so much, mayor, and would like to cosponsor the resolution you bring forward in a few weeks. I will be honest that I am disappointed that we're postponing this item. This council made that commitment during the budget time last year. It's already been nine months and so I do think if this item was not to move forward, it would set a precedent on how budget items are considered. And I want to draw attention to, the q&a has a lot of answers about some of the questions that have been raised about this guaranteed income pilot program. I want to emphasize that this is a pilot program. Our staff has shared that they can utilize the next two weeks to come up with the information that has been asked of, specifically around detailing criteria of the households that could be participants in this program. But if you look in the q&a there's answers talking about

[5:44:11 PM]

the framework that was used in developing the guaranteed basic income pilot program. There is an evaluator process. City staff has committed to a progress report that will come back to council later this fall. There are metrics established. We have to be flexible because those metrics will be customized to the household and their unique needs. This is about trying to ensure that families are able to meet basic necessities as well as to ensure that we are keeping austinites in their home. This program is for our most vulnerable, families who have been through extreme hardships where a thousand dollars a month makes a huge difference. So I'm excited for this program. I fully support this guaranteed income pilot program and will support the motion to postponement today, but know that this recommendation comes from our community. It is rooted in our community. It will help our community, especially those who need it the

[5:45:13 PM]

most. So, thank you.

>> Mayor Adler: Thank you. Councilmember Kelly.

>> Kelly: Thank you. I wanted to make a substitute motion to postponement item 16 until may 19th.

>> Mayor Adler: Okay. We're going to treat that as an amendment. Councilmember Kelly moves to amend the motion to postpone, not to the first meeting in may, but to may 19th. Is there a second to the amendment? The mayor pro tem seconds that. It's your amendment. You can discuss it first.

>> Kelly: I just think that with a program that is of such great importance to our city, and such a great need, that we have enough time to really dig into it and also this would allow for councilmember pool, who's not present today, to be able to engage in the discussion with us.

>> Mayor Adler: Okay. Councilmember Fuentes.

>> Fuentes: We are in a housing crisis. We've talked about this several times before. We all know this.

[5:46:13 PM]

We know this program -- the dollars from these programs are needed to help families now. I don't understand why we have to delay a full month, especially if our staff has committed to bringing back additional information in two weeks. Also, I question about the precedent that it sets by waiting for a colleague to participate in this discussion. You know, I brought forward a resolution just a couple weeks ago that we didn't have a full dais present. And so that to me makes me question, okay, then how do we set those instances? How do we set the criteria thank you for your motion, councilmember Kelly, but I will not support a postponement to may 19th.

>> Mayor Adler: Councilmember kitchen.

>> Kitchen: I just want us to kind of remember this is not about being for or against this great program. I have always supported helping people in the community and will continue to do so. I think asking a few questions

[5:47:14 PM]

about how exactly it's configured is appropriate, because we want to make sure it's effective. And so, you know, I think we're all -- I mean, I wholeheartedly support the concept and I have in the past initiated programs to help people, particularly helping people not going into homelessness. And to those at risk for losing their homes. And so I respect the -- I expect -- I really respect the urgency. I think that's important. But we don't have a program designed yet. So I think that -- I think it's appropriate to -- I don't think we're going to be slowing down the staff. We have haven't said to the staff not to work on this. In fact, they've been working on it for the last number of months. And I share the frustration, you know, of getting it nine months later, but I don't think we're slowing anything down.

[5:48:14 PM]

And we're certainly not signaling to the staff that they should stop with their preparations. So, I'm going to support the amendment.

>> Mayor Adler: Yes, councilmember Ellis.

>> Ellis: I do think it's important for us to be able to have some other extra questions addressed over the next couple of weeks. However, nothing precludes us from moving it again. If we work on it for two weeks and we come up that we still don't have the answers we need to feel confident, we have the ability to push it back until the next may meeting. So I think in this instance I'm okay with it moving forward for a two-week postponement. But that doesn't mean if we're not ready yet in two weeks we can't push it back a little bit further.

>> Mayor Adler: Councilmember Ellis, I agree with what you just said. I think we should try. Staff thinks that they can get this information to us in time and I hope that when that happens we're unanimously ready to move forward on this item the

[5:49:15 PM]

first week in may, but I think we should find out. The motion in front of us is to amend. So we go from the first meeting in may to the second meeting in may. Yes, councilmember tovo.

>> Tovo: Yeah, I'm sort of undecided. I probably will support the original motion instead of the amendment, but I want to say if councilmember pool requests that we wait until she gets back I'm certainly happy to do that. We do better when we have a full dais and have everybody with the ability to participate. And councilmember Fuentes, I'm aware that your resolution failed when we did not have a full dais. Certainly I would have supported your request on that day and would support your bringing it back if you thought we would have a different outcome, as somebody on the side of wanting to see that move forward. I think that's a courtesy that we should always offer one another if there's -- to have those conversations with as many of us on the dais as possible.

>> Mayor Adler: Okay.

>> Tovo: So I will -- I'm not going to support your amendment

[5:50:15 PM]

today, but especially if councilmember pool would like to be involved in this conversation I'll support postponing it when it does come back to us.

>> Mayor Adler: The amendment is in front of us. Those in favor of postponing until the second meeting in may, please raise your hand. I see three votes. Those opposed to councilmember Kelly's amendment please raise your hand. That's the balance of the dais. It is defeated 3-7. Councilmember pool off the dais. Motion to postpone is in front of us until the first meeting in may. Let's take a vote. Those in favor please raise your hand. It's unanimous on the dais, councilmember pool off. That gets us to the boards and commission vote. Earlier on consent we passed all of the nominations presented to us in boards and commissions with the exception of the planning commission item.

[5:51:18 PM]

Councilmember vela, would you like to make a motion?

>> Vela: I would. I would like to make a motion to nominate Greg Anderson to the planning commission for district 4. The city charter states only one-third of the members should be directly connected to real estate and land development. Because of this charter provision, the city clerk provides a questionnaire that allows a potential appointee to explain their background and experience. Mr. Anderson --

>> Mayor Adler: Is there a second to the motion? Councilmember harper-madison seconds. Go ahead.

>> Vela: Mr. Anderson is the director of community affairs for habitat for humanity. His complete questionnaire is available in the backup for this item. His responses to the questionnaire reflect the fact that he is employed by a nonprofit and is sometimes called upon to give feedback related to habitat projects. However, his responses reflect that he does not practice in a field related to real estate or land development, nor does he

[5:52:19 PM]

hold professional certifications. He is a lay member within the meaning of the charter because he works for a nonprofit. His appointment will maintain the charter required balance between lay persons and persons who are directly or indirectly connected to real estate and land development. To speak to the merits of his nomination for a moment, he is a former staffer to then city council member Sheryl Cole,

now in the state house. He's also a former planning commissioner and extremeliely engaged in housing issues, has been a strong pro-housing voice, and I look forward to having him serving on the planning commission.

>> Mayor Adler: Further discussion or debate on this issue? For me, as I look at this

[5:53:22 PM]

nomination, I'm going to support it. I think that I would just like to say for the record that for me, this individual does not contain any of the qualifications that relate to those that are limited. I just don't think that in this position that he has he has the necessary relationship to real estate that would present the kind of conflict that I believe the language is intending to get at, and what I remember being the gist of the debate and discussion the community had at the time this was adopted.

>> Vela: And mayor, if I may add just one more thing. I don't want the city of Austin to be bullied by the attorney general of Texas into deciding, you know, who we can or can't

[5:54:22 PM]

appoint. I just think that we should stand up for the Independence and judgment of the citizens of Austin and not be -- not have our hand forced by the attorney general's office.

>> Mayor Adler: Yes, councilmember kitchen.

>> Kitchen: Well, you know, I certainly respect bringing this forward, but I'm not going to be able to support it. I -- the statement that was read is not one that I can support, because my view of the charter provision that we are attempting to follow is not as it was read. And I understand councilmember vela is -- that others may agree with him, and I respect his approach, but it's not one that I can agree with. And we were involved in a lawsuit before, and this particular individual was named in that lawsuit. And so from my perspective it's

[5:55:22 PM]

too much of a risk. And I don't want to move forward with this. And can't agree with the statement that was made and the reasons behind going forward with

>> Mayor Adler: Okay. Further discussion? Mayor pro tem?

>> Alter: In the interest of time, I'll say I'm in the same place as council member kitchen.

>> Mayor Adler: Those in favor, raise your hand? Council member vela, council member renterria, harper-madison, Ellis, me, and Fuentes. Those opposed, please raise your hand. Remaining four on the dais. It passes six to four. All right. I think now we have just the nccd items to do, but let's

[5:56:23 PM]

take a break and do proclamations. Colleagues, do you want to come back to our meeting after proclamations or do you want to break? We'll come back after proclamations. Here at 5:56 we're going to go to proclamations and then we'll return back to the dais.

[5:59:56 PM]

>> Alter: Is it on now? Is Stephanie burrgess here? Whoever is here for crime victim's rights, if you want to come down, that would be awesome. You guys can come back here. Runs through Saturday, April

30th. One week each year since 1981 communities have come vigil, documentary screening. Many are free and open to the continue

[6:01:00 PM]

to ensure equity and inclusion. We must listen to our survivors. I'm pleased to see the expanse of trauma informed practices here in Austin, including advancing our trauma recovery center in partnership with the county. Trauma informed care is relevant throughout the justice process and should begin as soon as a victim reports a crime. We do this in Austin by bringing on translators, interview rooms. We can minimize second hand trauma by telling their stories over and over again as they move through the system seeking justice. Next week is also a time to pause and thank those who listen to survivors and work with them to achieve justice. As victims services managers, members of law enforcement, counselors and other organizations like save Austin and some who do this difficult

[6:02:01 PM]

work day in and day out are here with me for this proclamation. Most importantly, we honor the victims of crime. To the survivors, thank you for speaking up so others do not have to endure the same traumas. We see you. You are not alone. I will now read the proclamation. Be it known that whereas the victims' rights movement has resulted in passage of laws at the local, state and federal levels that established essential rights for victims and whereas the accomplishments of the victims' rights movement achieved through compassion and collaboration and built on the courageous advocacy of individual victims and families across the country inspire in us hope for future progress and greater healing and whereas national crime victims' rights week provides an opportunity to recommit to ensuring that accessible, appropriate and

[6:03:03 PM]

trauma-informed services are offered to all victims of crime, and whereas the city of Austin is hereby dedicated to strengthening victims and survivors in the aftermath of crime, building resilience in our communities and our victim service providers and bringing hope and healing to all victims and survivors and now therefore I mayor pro tem on behalf of Steve Adler and my colleagues on the city council here in Austin, Texas, do hereby proclaim April 24th through April 30th, 2022 as national crime victims' week here in the city of Austin. Thank you. We're going to be joined now by Stephanie Burgess.

>> This is so strange to be in person. I feel like I should be making sure I'm not muted. Special thanks to you for

[6:04:03 PM]

sponsoring this proclamation and to council and mayor in supporting this opportunity in declaring national crime victims' rights week. Aside many other agencies serving crime in our community -- collaborators on the committee include APD and office of violence prevention. I'm joined by several other members. Since 1981 national crime victims rights week has challenged the nation to confront and remove barriers to achieve justice for victims of crime. As mayor pro tem shared the theme is rights, access, and equity for all victims. The theme underscores the

[6:05:04 PM]

importance of helping crime survivors find justice by enforcing victims' rights, expanding access to services and ensuring equity and inclusion for all. Some of the things we'll do will be free yoga, the candle light vigil and awards ceremony. Find us on our Facebook. Thank you.

[Applause] Get my colleagues to join us. Smile.

[6:06:04 PM]

Thank you. Thank you guys for all that you do.

>> Thank you.

>> Alter: If you're here for the week of the young child, you can down and join us. That would be great.

Do we have a translator for this one for the whole thing or -- I have the proclamation. I'm going to read it in Spanish, but I didn't know if the first part was being translated. It doesn't have to be. I just wanted to check. Okay. Is that everyone? Good afternoon again. I'm mayor pro tem Alison Alter. It's my honor to represent district 10. I'm a working mother of two, though my children are not so little anymore.

[6:07:05 PM]

I remember those days. But I do remember how crucial child care is for families.

[Speaking Spanish] . I'm joined today by several people who are really important in our efforts to acknowledge childhood education. This week is the week of the young child, a time to focus

[6:08:06 PM]

attention on the needs of young children and their families and to recognize the early childhood programs and services that meet those needs. We have seen how covid-19 has impacted all parts of our community, including our schools, our child care providers and each of our families. Many early child care providers have been on the front lines of the pandemic with children and families they serve and have gone above and beyond as an often unrecognized part of our safety net. I hope the pandemic will provide greater appreciation of child care workers to our lives and economy. I've always believed investment to children and their educators are one of the most important investments we can make as a community. To fail to invest in our children would be shortsighted economically and morally. In 2020 I championed a council

[6:09:07 PM]

initiative to bring forward a million dollars to keep qualified child care centers in Austin open and viable. In 2021 I led the council in allocating the American rescue dollars to fund transportation investments with a \$11 million commitment. I see several of my colleagues who supported that in the room as well. I certainly don't believe these changes alone are sufficient to create the strong framework of early childhood services we need in Austin, I will continue to advocate for families and to listen to child care providers about their needs. The question is not whether we can afford to invest in every child; it is whether we can afford not to. I will now read the proclamation in English and then in Spanish. Be it known that -- and this is a long one so bear with me. This is important. Be it known that whereas research shows that the first years of a child's life are the

[6:10:08 PM]

period of the most rapid brain development and lay the foundation for all future learning and that high quality early care and education can help improve the effects of poverty, detect and remediate delays, identify and help prevent child neglect, save taxpayers dollars, prepare children to succeed in school, live higher wages and live healthier lives; 37 per cent of children live in low income families -- disproportionately affects families of color. Young children need skilled, early childhood educators, working families need sufficient high quality, affordable child care available in the community beginning at birth. And early childhood educators need the ability to earn a

[6:11:10 PM]

family sustaining wage commiserate to the essential work they do; whereas the city of Austin has a strategy to create access to quality education and primary indicator measuring how many are enrolled in education programs and that Austin has been recognized as a city supporting a strong, prenatal to age three -- whereas educators have been on the front lines during the pandemic, I mayor pro tem on behalf of the mayor of Austin and my colleagues on the Austin city council, proclaim April 2nd to 8th as the week of the young child in Austin. Okay. Here goes in Spanish.

[Reading in Spanish]

[6:14:39 PM]

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[Continuing to read in Spanish]. This one is not in English, but don't ask me to translate it on the fly here.

[Reading in Spanish] .

[Applause]

[6:15:49 PM]

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>> Thank you so much, may Yo pro tem alter. There are more than 40 babies born each day in Austin. Each of those are born into widely diverse circumstances. Some are healthy, some are not. Some have huge, extended families full of experienced caregivers. Some do not. Some are born into resources with secure income and some are not. Regardless each of these babies is equally deserving of loving care and opportunity to thrive. We're grateful for the city of Austin to recognize the critical importance of the first five years of these babies' lives as well as recognizing the need to support the health, mental health and well being of those who care for our children, which includes their families and early childhood educators. Early childhood learning can dramatic reduce inequality.

[6:16:49 PM]

The failure to adequately support economic stability for our children deprives us of their potential and erodes our ideal of equal opportunity of all. Since the on set of the pandemic the city has provided critical support for families in the early care and education sector through generous, targeted covid relief funding. The city was recognized as essential to recovery and success -- recognized child care. Thank you, mayor pro tem alter and all our city leaders for your leadership. More importantly, we are looking forward to continue collaboration with the city, county and community. We will continue to elevate the voices of families and early care and education, caregivers,

[6:17:52 PM]

continuing to recognize their essential and challenging work and striving for them to receive the respect and compensation they deserve in whatever setting they provide care. Thank you.

[Applause].

>> I'm going to read in Spanish.

[Reading in Spanish]

[6:20:04 PM]

[Continuing to read in Spanish]

[6:21:14 PM]

[Applause]

[6:23:15 PM]

>> Tovo: Good evening. I have the privilege of representing district nine and today we have special awards for special organizations at UT. Thank you for coming down. Thank you for your patience in watching the earlier proclamations. So tonight I'm going to be providing some proclamations for an organization for the healthy student organization program which started at the university of Texas and started to recognize student organizations for positive efforts in promoting health and wellness. The last two years has been online and we had some challenges doing this digitally to so many organizations last year. It's fun. Thank you again for coming down. Since the program commencement the program has helped many student organizations for encouraging healthy, thriving and engaged student group. These organizations have been models to the rest of UT campus

[6:24:17 PM]

for making healthy changes focused on physical activity, mindful eating, social support, improving mental health. This year they inspired their own members to incorporate healthy habits and self-care. These organizations have done amazing activities. Some of these have included participating in sports, tutoring at elementary schools, providing opportunities for social connection, hosting workshops on mental health, providing healthy food for various dietary restrictions, supporting the American diabetes association and many more. Thank you for those who are here. Thank you for your commitment

[6:25:17 PM]

to students and the whole community. It's my honor to recognize your organizations and improving the long horn college experience. I'm going to call out the organizations.

-- Call out the organizations. First those that achieved bronze status, silver, and then gold. In the bronze category -- you might give a wave. I'd like to recognize the student health advisory committee.

Congratulations. The next several achieved silver status. The Texas las sews, Texas Tai Kwon do and the Texas dance team. In the gold category, we have a lot of organizations who achieved this status.

Unjaded, alpha eps Lon delta, the campus environmental center, engineers for sustainable world, global

[6:26:20 PM]

medical training, the institute of engineers, Muslim student association, national alliance on mental illness, student engineering council, Texas ballroom, Texas darlings, Texas predoctoral society, Texas public health, Texas transfer students, theta Tau, women in mechanical engineering. The highest new organization is women in mechanical engineering. Congratulations.

[Applause]. The highest is alpha epsilon delta. Congratulations to all of you. They will all receive a certificate of recommendation that acknowledges their hard work and recognizes them and

[6:27:20 PM]

indicates they are deserving of public claim and recognition and notes this date and is signed on behalf of the mayor and the entire city council. Now I'd like to invite the -- Sarah Fray. She oversees initiatives aimed at creating a culture of well being and wellness. This is one of the programs under her portfolio. If you would say a few words.

>> Good evening, everyone. I just want to take a moment to say thank you and congratulate our student organizations for dedicating all this time to integrating healthier group practices throughout the 2021/2022 academic year. It's great to be here on the platform and provide you with

[6:28:22 PM]

certificates of achievement and public acknowledgment. I want to give thanks to undergraduate program manager -- she's gotten to know each of the groups and has tailored the programs to meet the needs of their communities. It is this that has allowed our program to thrive. Finally, a huge thank you to council member Tovo for continuing to support our UT Austin student organizations in creating a healthier community. It's a proud moment to have our efforts recognized. We look forward to many more years in the partnership.

[Applause]

>> Tovo: We'll take some photos. Would you like us to do two lines or what would be best.

>> Two lines would probably be

[6:29:26 PM]

best. Best.

>> General rule of thumb is shorter people in front.

[6:31:10 PM]

[Applause]

>> Tovo: Sorry. I kind of left all kinds of stuff all over. There we go.

[6:32:37 PM]

>> Renteria: Good afternoon. I represent district three. And I have the opportunity to announce this proclamation to Dr. Thomasson and the UT -- I mean the St. Edwards --.

[Laughter] .

-- St. Edwards university civics lab. These young students came to us and made a presentation about a study they have been working on and they identified nearly 15 per cent of Austin residents are facing food insecurity. They also came with a presentation on what we need to do to help these people find

healthy food in Austin. And their recommendation was to also include capital metro, which I'm also a trustee, and

[6:33:39 PM]

I'll be working with capital metro to make sure that on their buses they'll be able to identify locations -- not only in English and Spanish but other language. So I'm here to pronounce this proclamation -- be it known whereas nearly 15 per cent of Austin residents for estimated to have experienced food insecurity in 2021, the majority of which are low-income families and members of community of color and whereas food insecurity and lack of equitable access to healthy food option is correlated with higher rates of adverse health conditions such as heart disease, diabetes, and cancer and whereas the lack of access to public transportation or grocery store with healthy food option within walking distance often serve as a

[6:34:41 PM]

barrier between food and secure household and healthy eating patterns, and whereas raising awareness of equity concerns surrounding public infrastructure and the challenges faced by insecure residents will help address these concerns, now I on behalf of our mayor Steve Adler of the city of Austin, Texas, do proclaim April 21, 2022 as food insecure awareness day. Thank you, class.

[Applause] . Couple of comments.

>> Thank you very much to the city of Austin, the staff, council member renterria's staff. Want to thank the mayor, also council member Fuentes and all the other mayors of the Austin

[6:35:42 PM]

public staff and community. The work on this has been on going for -- I am the director of the civics lab at St. Edwards university. This is an effort of 75 students over the course of eight or nine months that we've been working on this. The civics lab is a student-led advocacy group and it's highlighting the growing problem of food insecurity in Travis county. We're doing this work for the people facing food insecurity and facing food injustice in our community. There are many organizations that are addressing this. A few of those include gave, go Austin, vamos Austin, who is also here today, keep Austin fed, central Texas food bank, sustainable food centers, and many others -- American heart association.

[6:36:42 PM]

Very involved in addressing these issues. And we would like to say their work is the work we're trying to address and the people they're serving. Austin right now includes over 33 low-income areas that are classified by the usda as having underserved areas of food insecurity. Our research has uncovered an alarming pattern, which if you've lived in Austin long enough you know I-35 is a high level of inequality. Our city is economically segregated along that boundary. Food insecurity is one of the many challenges along that border. We -- we're stronger when we work together. A united city with city officials, community groups, and higher education like St. Edward's university is an

[6:37:44 PM]

important part in raising awareness to eliminate hunger. In our incredible city it's imperative that we continue working to put equality first and break down barriers preventing many to access choices of the

life they would like to live. When we have food insecurity that is certainly a significant barrier to living the life we choose. This is an important moment but it's also certainly not the solution to food injustice. The solution will come from all of us in Austin supporting the people of organizations who work every day to address this food injustice in central Texas. Again we thank the mayor, city council, members of the staff of city council and the mayor and on behalf of the civics lab at St. Edwards university we promise to continue to elaborate in the many policy challenges we have. I have with us a few of the civics lab.

[6:38:44 PM]

Michael, George, Jay as well as members of gave who are here as well. We'd like to thank you all and thank you to the city of Austin for this. Thank you.

[Applause].

>> Renteria: I also left out my colleague, Vanessa Fuentes, I was proud to co-sponsor a resolution she passed in support of the civic class and a study they'd done and did come up with some very good suggestions. And if you want to say something, Vanessa.

>> Fuentes: I said a lot today. I share my gratitude.

>> Renteria: Thank you. If there's any other people that would like to make a comment, this is the opportunity. All right.

[Applause]

[6:49:11 PM]

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>> Mayor Adler: Still April 21st, 2022. We have taken our break for proclamations. We are now back. We have three things left in front of us. I don't know if you want to -- whoever it is -- staff point on this. We have two zoning items. We have one resolution in front of us. You want to lay it out for us? And then I'm going to go to council member harper-madison for a motion.

>> Great. I'm going to give a quick background on the items. The amendments to the 11th and 12th street combining districts. The general boundaries are along east 11th and rosewood

[6:50:14 PM]

from I-35 to Angelina. The urban renewal board recommended these amendments based on the following two goals -- following goals from two council resolutions. Update the 11th street and ccd while continuing to promote the vision set by the community. Update the documents to clarify regulations, and align the plan with the nccd's. Currently the zoning standards within the 11th street and urban renewal plan are not the same or consistent. Staff is recommending the urban renewal board's recommendation on all three items. Planning commission has made some modifications to all three items as well, and I'd be happy to answer questions about those.

[6:51:15 PM]

>> Mayor Adler: Thank you. Council member harper-madison, do you have a motion to put in front of us?

>> Harper-madison: I do. I move to approve the staff recommendations on 31, 53, and 54 with the changes outlined in the distributed motion sheet that you all should have gotten for first reading only.

>> Mayor Adler: There's been a motion. Is there a second? Council member Renteria seconds. Discussion? Your motion. We'll let you go first.

>> Harper-Madison: This is a big day for our district. It's the culmination of a long process that has included an incredible amount of community outreach and engagement, and our urban renewal board has been working on this project at

[6:52:16 PM]

their public meeting for years. During that time residence and stakeholder organizations have played a key role in helping to shape what's before us today. I'm also proud to say my team conducting a very robust community engagement process with a public survey that gathered input from property owners, renters, businesses, and stakeholders on these two important corridors. We put that out through door to door canvassing, targeted outreach. That effort alone garnered over 500 unique responses. We asked people what was their vision for this part of the city and the number one thing they said they wanted to see was a walkable, complete community. That aligns with our comprehensive city-wide vision of making Austin a more compact, connected city, which

[6:53:18 PM]

at one time it was. Many of us know and it always bears repeating, Austin's 1928 plan all by forced African-Americans to live in certain areas. Just like everywhere else urban renewal doesn't have the best track record in Austin. We bulldozed an entire working class of black and brown neighborhood in eastern downtown and replaced it with parking garages, water loop park and Breckenridge Hospital. We need to come to terms with the effect that top-down decisions have had real and lasting consequences that will

[6:54:19 PM]

continue to be felt for generations. So what we're doing here is taking the various documents that govern growth on these corridors and we're making sure that they align with each other and with the community desires. And we're making sure the regulations are more streamlined, less prescriptive and will encourage the kind of diverse, active, and walkable corridors that people have told us they want to see. That means allowing a variety of uses and services that will keep the streetscape active throughout the course of the day. I don't know if you've walked down 12th street in the middle of the afternoon. You might have caught a tumbleweed or two because there's nothing happening. It was all but ignored. 11th and 12th run through changing neighborhoods that are home to a broad range of residents with diverse preferences. These were bustling corridors with businesses up and down them -- that includes bars and

[6:55:21 PM]

nightclubs. They were just as much part of the character as Sam's barbecue. Today neighboring watering holes provide walkable, bikeable destinations for people to socialize and relax. Per our survey 85 percent of the community thinks indoor pubs and neighborhood live music should be allowed on 11th and 12th street. The motion before us would grant owners the ability to request conditional use permit to potentially allow for a new neighborhood pub jazz club. It does not allow for bars everywhere. It would require another process to vet context sensitivity of my proposed bar, lounge or music venue. As we saw this process is no slam dunk or rubber stamp for

[6:56:25 PM]

wanna-be bar owners. This is targeted and balanced way to approach the policy question of where is or isn't appropriate to allow a neighborhood bar on a case-by-case basis. I believe that conditional use permits are the most context sensitive tool we have as a city. They require a public process through which the community can evaluate proposals on an individual basis. If an owner wants a conditional use permit they would have to first submit a site plan to staff that says what they propose to do and then they have to take that plan to planning commission which can add any number of conditions or they can outright reject it. Then in the event parties don't agree with the planning commission's decision, they can appeal to the whole city council. It's a full, public process with multiple check points, and I believe it strikes the right balance between protecting our neighborhood from potential

[6:57:28 PM]

nuisances while creating flexibility to make walkable neighborhoods you see in neighborhoods all over the world with amenities. If we want this place to be a thriving place for artist and music and culture, I don't know we can reconcile that by saying but no neighborhood bars or music venues, period. That's an all-or-nothing approach and I believe in let's hear what the community has to say about the projects. And really what this is about, having a public process versus no process at all. I strongly believe that the urban renewal board's proposal along with my amendments represents a careful and intentional feedback for the information we will receive and we will start towards the collective goal of reinvigorating respective corridor while paying honor and respect to the cultural heritage that is still so thick in the air

[6:58:31 PM]

in central east Austin. Thank you, mayor.

>> Mayor Adler: Thank you. Further discussion? Councilmember Renteria.

>> Renteria: Thank you, mayor. I still remember growing up there on palmetto street. I grew up on 1005 east tenth street. Willis was a street that from there I could see Charlie's playhouse. There was a nightclub there that was the only place that -- during the week that our black musicians could play at. Austin was segregated. And I remember every Saturday night all the UT students showing up there, including one of my colleagues that was here on the council when she was going to UT, because that's the only place that you could see chubby checkers, the temptations, all the great artists that was there

[6:59:32 PM]

in the '70s -- '60s and early '70s. And the city during the '70s when urban renewal came to Austin, they decided that that was a blighted area. They called the bars shamrock, hillside pharmacy, Howard's barbecue, all these places that were very active business places for our African-Americans that owned these businesses. And they came in there and moved them all out and never did anything with it. This has been a discussion going on since the '70s when they destroyed that whole neighborhood, including 12th street. 12th street was a very active -- that's a place where there was a theater there that I used to attend as a youngster. We had rolling state Rinks there, barbecue joints,

[7:00:33 PM]

catfish parlors. We had a retail store on waller and 11th street and I just could not believe what they did, and I lost all my black friends when that happened because they all had to move out. And we didn't provide anything back in return. And that's how bad it was back then in the way they treated minorities in that area. The browns and black. My aunt lived on rosewood and we used to go there all the weekend to visit her which is just a half mile from my house. So I've been waiting for this to happen again. And the longer we wait, look at the black population in Austin. It has dwindled so far, so badly, because they don't have anything here. In recently Houston and then more recently to manor because there is nothing here for them.

[7:01:34 PM]

They lost barber shops, salons. We finally got a salon in there, but it's just a sad part of history that we went through with all the discrimination. And we have an opportunity to do something here today to start the slow process of change and bring it back, the culture and events that I miss so much and so dearly because that was part of my life growing up here in Austin.

>> Mayor Adler: Thank you. Councilmember kitchen.

>> Kitchen: I just wanted to say councilmember harper-madison, it sounds like -- I know you've -- it doesn't just sound like it, I know you've done a lot of work with your community and I can see that and I appreciate that. And it sounds to me like the way you're describing the -- I'm not as familiar with how it works but the way you're

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describing the conditional use permit allows for some real consideration of what's needed locally, right? Is that the thinking there? Okay. Do you feel comfortable that that's a process? It sounds like you do, but do you feel comfortable that that's a process that really proceeds a true opportunity for input? Harper-madison I absolutely do. And there was some miss characterizations earlier from some of the speakers about a lack of outreach. My team and volunteers in the neighborhood, people who live in the neighborhood, we were block walking, we were sending out surveys. We got almost 560 surveys completed. That's astronomical when you're distributing surveys at the municipal level in that way, especially in such a concentrated area. We did outreach and we will continue to do outreach. And the truth of the matter is what we want to see is a community that everybody feels comfortable in, so I certainly don't want to

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alien 8 anybody, but I want to paying sure that we are as conscientious along the way as possible. There are multiple stop gaps and checkpoints and I think the oversight that's built into this process makes it fair and democratic.

>> Kitchen: The last question is -- actually, it's not a question. Maybe at some point we can talk about it. I know it's really hard to -- you've probably been working on this. At least some of the neighbors had some concerns about enforcement. To me enforcement of noise, that's different than this. That's -- to me that's an issue that needs to be addressed separately and it's always a difficult one.

>> Harper-madison: I agree. That process is separate and apart now, we're offering a process for the option. The truth of the matter is we're not going to get a flood of bars on 12th street. It won't be a Rainey, won't be a sixth street. They're completely different sets of considerations.

[7:04:39 PM]

The testimony we heard earlier gives me pause because I feel like I wasn't hearing these complaints from my constituents. They live right around the corner of me and I didn't realize that so many were having so many problems. My staff and I were texting back and forth to one another recognizing this is something that we need to dig into but it is definitely from the motion that I put before you today is.

>> Kitchen: Okay. This is a first reading, right? I feel that I can support this on first reading. I can support this. And if I can be helpful to your office and helping the neighbors address the kind of noise concerns that they're dealing with, let me know. Because I know that all over the city people in some areas have trouble with noise and they need to be able to sleep so we need some way to help them with that.

Okay, thank you.

[7:05:42 PM]

>> Mayor Adler: Councilmember harper-madison, I too am going to support your motion. One, I found Howard Mcmillan's testimony really compelling. It's really hard in this city as you're trying to address different kinds of issues but when we talk about preserving culture, people, it's hard because you have to decide first what are you trying to preserve, and this area in 11th and 12th has such an important history to this sustained we are in danger of losing those markers that go back to what I remember seeing in the '70s disappear as I was arriving into this city. I think that making bars a conditional use so that it's not by right, but requires a showing and conceivably can bring it back to the council is the right compromise on that issue. Nobody gets it by right, nobody stops it by right.

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If it's important and people want to propose it, then it can get its way back here. I think that's the proper compromise. But I will say that I'm real disturbed by what we heard with respect to the nuisance that these neighbors are dealing with. Not only the bars that are there properly, but the suggestion that we have bars that are not supposed to be there that are there. And Rodney, I think that -- I'd really appreciate you coming back to the council and talking to us about this particular situation. It sounds as if these folks have been reaching out to everybody on staff and can't move it forward, but I don't think we should leave this just to councilmember harper-madison's office to fix or to find out what the answer is. I think we have a collective interest as we've done the same kind of thing in other situations. So if you could look into that and find out what --

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where we were and what the challenges are. We know that codes that had issues. And in a lot of ways code is doing something so much better than they were when I first got on the council back seven years ago. That said, if it's something we need to take a look at and take into account the next budget, let's find that out. But I'd appreciate you coming back to all of us and giving us some measure or memo or something like that so that we can better understand what's happening out there.

>> Absolutely, mayor. And I appreciate the council's interest in also helping, but that certainly is our role to look at the enforcement. So yes, we certainly will dig into this issue and assign the resource it should. To the mayor's point. It's a dual responsibility of Austin code and then our sound enforcement which now lies in our sound permitting office and so we'd be more than glad to help out with that assistance because to councilmember kitchen's point, our residents have to sleep and there are specific sound ordinances that we have on the books for folks

[7:08:46 PM]

to abide by and that's our role is to enforce those ordinances.

>> Mayor Adler: Any further discussion on this? Councilmember tovo and then mayor pro tem.

>> I'm prepared to support most of the motion today. I would like the clerk to reflect my no vote on the conditional use -- the amendment creating a conditional use permit for 12th street for cocktail lounges. I appreciate, councilmember harper-madison, what you said and the testify we had today on top of that I'll give some more thought to. As the council member who represents several of those areas where we have an overawe bun dance of one kind of use including on sixth street, I have to really think about what are the best planning tools for making sure we have a mix. And I understand what you're saying here right now about the conditional use permit offering that check and I will give that some thought between first and second

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reading but I'm not ready today.

>> Harper-madison: I do appreciate that, council member. I want to make a distinction that the areas you're referencing to they have the ability to build bars by right. With it being historic Austin it's so difficult to build things there, and they have it by right. We don't have it by right. So that's the distinct difference.

>> Mayor Adler: Mayor pro tem.

>> Alter: Thank you. I appreciate all the work, councilmember harper-madison, that you and your staff have put into this over many years. And you obviously know the ins and outs of the area well and have had a lot of the conversations. I still have -- I'm inclined to support this on first reading. I still have some questions that I'm trying to get -- to understand on the cocktail lounge portion, but let me ask you one question tonight because I think it's only one that you can answer for me is as I understand your motion you're making cocktail lounges that are 3500 square feet or less a conditional use on 12th street and then they wouldn't be allowed larger

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on 12th street. Can you help me understand why that's the appropriate thing for 12th street but not on 11th street? What was the logic behind that?

>> Harper-madison: So we wanted to ensure that any potential projects seeking to get the conditional use permit for cocktail lounges really starts on the right foot and matches the scale of the neighborhood to the neighbors' point we didn't want anybody to build any larger so we limited the allowable square footage of the this was on par with existing establishments so we basically tried to make some -- make them identical to what exists currently.

>> Alter: So the ones that exist on 11th street larger than?

>> Harper-madison: I'm trying to think of -- it's definitely larger but I don't think it's considered a bar because it serves

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food. Nickel's city may be the only bar on 11th.

>> Alter: I'm wondering why we're not putting the same size issue on 11th street.

>> Harper-madison: I don't know that we don't have the same size issue. I think it's already 3500 square foot on 11th.

>> Alter: Could staff clarify that, perhaps? So it might have been in the base that way.
>> There is no size limit on 11th street bars. 11th street is generally -- has larger buildings than 12th street.
>> Maybe, councilmember harper-madison, I'm just asking that because it seemed strange to me to have the difference and maybe between now and second reading with your extra knowledge you can consider whether that might be a step we could take that was appropriate for 11th. It might not be. But I wanted to throw that out there as something to consider.
>> Harper-madison: Can you clarify your question?
>> Alter: So we have two

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areas, length and 12th street. As I understand it on 12th street you made cocktail lounges a conditional use permit, but it's only available if they're 3500 square feet or less. So I'm trying to understand why we wouldn't put a similar size restriction, whether it's 3500 or something different, on 12th street if it's important to have the size restriction?
>> Harper-madison: I'm still confused. You said 12th and 12th.
>> Alter: Sorry. It's late. On 12th street you have a size restriction. On 11th street you do not. And I guess I'm asking you to consider whether it would be useful or appropriate to have a size restriction on 11th street as well.
>> Harper-madison: I'll certainly look into that. I think mostly because the 11th street nccd is what we're modeling the adjustment to the 12th street nccd after. We used the sky lark lounge as our model and basically we want the establishment to be large enough to hold a

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limited capacity in a small stage. So that's more or less what we were modeling it after.
>> Alter: And I guess my question is wouldn't that be the same goal on 11th street?
>> Harper-madison: I don't know that it's not. I might ask for some clarity, but I was under the impression that 11th street had a 3500 square foot cap as well. I'll look into that. From what we've been looking at I thought it was the case already.
>> Currently it does not, but I can double-check.
>> Harper-madison: I appreciate it.
>> Alter: Thank you. I will support that today, but I would appreciate some clarification on that. Thank you.
>> Mayor Adler: Council member vela.
>> Vela: I fully support the changes. I just -- what is happening with the victory grill? It's beautiful. I've seen shows in it, but they're rare. Once in a blue moon they'll have a show at victory grill and it disappoint me to see that beautiful historic venue just seeing there empty.

[7:14:54 PM]

>> Harper-madison: Have you seen been in there recently? It's a full-blown at-capacity restaurant.
>> Vela: I should. I have not.
>> Harper-madison: You should. It's been revamped.
>> Vela: I will. It's a wonderful place and a gem, and I hope the nccd really boosts its prospects of business.

>> Mayor Adler: All right. We ready to take a vote? I think we're ready. Motion is made by councilmember harper-madison is to approve on first reading the recommendations of the board, the staff, with the additional amendments that were posted by the councilmember harper-madison and subject to the statement of record for councilmember tovo that you wanted included. Let's take the vote. Those in favor please raise your hand. Those opposed? It's unanimous on the dais with councilmember pool off. With that, I thank staff. I think that's all the stuff

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we have on our agenda. So with that at 7:17, this meeting is adjourned. Thank you all for being here.