

# City Council Regular Meeting Transcript – 9/21/2023

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[10:00:17 AM]

It's 10:00 in the morning. We are meeting in the city council chambers, which are located in city hall at 301 west second street. We have a quorum present. Council member Fuentes is joining us virtually and council member, as you have learned, if you need me, cry out because I may not be looking up at the screen and I apologize if I'm if I miss you. So make sure I know you're there. Members the order of the day will be that we will first hear the consent agenda speakers, both virtual and in person. We will then go to a consent vote with brief comments from the members. We will also hear at some point from the non consent speakers, both virtual and in person. We will take up the public hearing items 81 and 82, 103, 104, and item 102 is associated with the public hearing on 103. And we will take it up after we take up 103. We will close the public hearings and we will take

[10:01:17 AM]

hearings and we will take immediate action. Anyone that's registered to speak at the public hearing will be heard during the time of the public hearing and not with the consent speakers. As we've done in the past. Unless you want to be. I'm just we're trying to achieve the goal that some people in the community have requested of being able to speak at the time of the item that's up. So you won't be called twice as as time allows. We have a 1030 time certain for the Austin housing and finance corporation, Ann and the Austin housing public facility corporation. As usual, we will recess the city council meeting and call those to order. There will be a noon public comment followed by live music. Members, please note that item 80 is set for a time certain of 1:00 pm at. And then of course we have our 2:00 zo zoning and zoning issues. I will now read into the record the changes and

[10:02:20 AM]

into the record the changes and corrections items. 34 and 56 are withdrawn. Ann item 50 is postponed to October 5th, 2023. Item 51. Instead of saying district three, it should read district one. Item 72, which it says should read. Set a public hearing to consider an ordinance amending ordinance number and then delete the number that's there. And it should. Read 20230816-007. And then the rest of the posting. Item number 67 is postponed and item 67 is postponed. And boards and commission action items one and two should read recommended by the electric utility commission on a 7 to 0 vote with commissioners Blackburn and Bowen absent and two vacancies. Also it should read recommended by the resource management

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by the resource management commission on items number five. Number six. Number seven. Number eight. Number nine. Number 38. And number 40. She should read September 13th, 2023. Recommended by the water and wastewater commission on a 6 to 0 vote with one absence and four vacancy is items number 39, 41 and 50 should read not recommend bid by the water and wastewater commission due to a lack of quorum. Those are the changes and corrections. For the record , today. Members that will take us to the consent agenda and speakers on the consent agenda. Currently I have members that have indicated they wish to pull the following items. 99 101 53 and 55. If there's anyone that

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and 55. If there's anyone that if anybody knows, they want to pull something now, let me know and I'll be happy to go ahead and have it pulled. Otherwise, I will ask this question again after we have heard from the consent speakers. If you're signed up on the items that I've just called 99 101, 55 and 53, we are going to try to call you at the time the item comes up. So if you want to speak now, though, you may if it's more convenient for you. We're trying to make this as convenient as possible. So with that, I will call unless there's something from one of the council members is what we will do is we will go to the consent agenda and the people that have signed up for the 10:00 speaking. For first, we have kiba white on item. Four >> Hello, my name is kiba white

[10:05:28 AM]

>> Hello, my name is kiba white and I work for public citizen's Texas office. Thank you for the opportunity to speak. I just wanted to applaud the city staff who have worked hard on the update to the

universal recycling ordinance that you'll find as agenda item number four today. This is an important step forward to give everybody in our community access to composting, and this will expand the required for composting services to include multifamily properties. This is an important step not only for waste diversion from the landfill, which is a goal that our city has established, but but also in meeting our climate goals because when we put organic material into the landfill, it does create methane, which is a significant contributor to climate change. So just wanted to thank all of the staff who have worked on the pilot and all of the stakeholder meetings to get to this point. And I'm glad that this is on the consent

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that this is on the consent agenda. And I assume we'll be passing with no problem and just wanted to also thank the city council for helping to initiate that with a resolution a few years back indicating that we should move in this direction and to just encourage you to do similar actions, to send that signal to staff on various updates that are needed to fully implement the climate equity plan. This is just one of many small things that are needed to be changed in ordinance and or program changes to actually implement the climate plan. So thank you all for taking the step and I look forward to future such actions. Next we have Kayla Reese on item 53. >> Hi, this is Kayla Reese. I'm the advocacy manager at Austin

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the advocacy manager at Austin park foundation and I am just calling to encourage the approval of the land management strategies and climate vulnerability analysis. This is a crucial step to protecting our parks and green spaces and mitigating the impact of climate change. I'd also like to thank council member Allison alter and all the co sponsors for their budget amendment that added the crucial staff positions to the land management office. Thank you so much for your time. On items 44, 55, 73 and 99. >> Monica Guzman. Before I start , if I can wait until I think I heard item 55. >> If I can speak later on that I will. And I can get clarification on that real quick . Yes thank you. Good morning, mayor and council. I'm Monica Guzman, policy director at Garza. Go Austin Ramos. Austin. Regarding item 44 butts. And

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Regarding item 44 butts. And where are the assurances about robust language accessible digitally inclusive community engagement? Whereas the equity in itod whereas an equity lens an analysis if not through the equity tool community is weary of expensive consulting agreement that may leave us out of key decisions. We want to make sure that investments in consultants for these major issues result in successful deliverables and good governance . We also want to thank council member qadri for

sponsoring item 99. Thank you. >> Thank you. >> Next, we have Bethany Carson on items 56 and 99. >> Hi. Good morning. Council mayor and Ed at 56 was withdrawn. I'll just be limiting my testimony to 99 today. I support the strengthened police

[10:09:32 AM]

support the strengthened police oversight and transparency contained in prop eight and in order for the city of Austin to comply with the will of the voters and the revised chapter two, dash 15 of the city code that voters overwhelmingly pass on may 6th, 2023, in prop a and the will of the city council, as laid out by the ordinance passed in February 2023. The operations of the office of police oversight must be updated. Its unacceptable for the city manager or or other unelected officials to be blocking the will of the voters on this issue . And it's past time for the city to follow through on the overwhelming will of the voters and what they passed in prop a, what's contained in this proposition is still extremely relevant. There are instances of that need to be investigated Eid that are coming to our attention every day. So I ask the council to please pass this resolution. It is what is necessary to

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It is what is necessary to actually be in legal compliance with what the voters passed. So please follow through on this. Thank you. >> That concludes our remote speakers. We'll move into in person. We have bill bunch on item six, 776, eight and. Nine >> Good morning, mayor and council members. Bill bunch with save our springs alliance. I want to speak in support of the balconies. Canyonlands conservation plan items. We absolutely want to extend that permit and continue to our efforts to protect our caves dwelling endangered species and the habitat for the golden cheeked warbler and other species, and especially the

[10:11:35 AM]

species, and especially the watersheds where we find these animals. I was on I was one of four members from the environmental community that served on the original advisory group that developed the conservation plan under mayor Todd. We did a great thing then . We have thousands of acres of land, tens of thousands of protected, but we're not done yet. We're not complying with our current permit, especially for cave protection and also for golden cheeked warbler habitat. We're still short. Also the scientists told us we needed to protect 120,000 acres of golden cheeked warbler habitat in Travis county. That number was basically cut in half an and only requires about 60,000 acres of protection. And that's where our park lands come in. And our watershed protection lands, we

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watershed protection lands, we can make up that difference if we manage our watershed protection lands and some of our park lands to let them grow into mature oak and ash, juniper forests and that's needs to be our focus. And that's why I'm speaking again about item six. The agreement with the university of Texas that specifically calls for prescribed burns, given the heat, the drought out, the climate change, it is time to put a long pause on any more prescribed burning because that adds carbon into the atmosphere. It adds heat, it dries out our soils and our forests and the forests that we need to be protecting. Thank you. So please say no on six. >> Thank you, Mr. Bunch. >> Gus Pena, item 47. >> Okay. I'm here. Gustavo Pena.

[10:13:50 AM]

>> Okay. I'm here. Gustavo Pena. I'm here to speak on number 47. First of all, again, I'm going to iterate that. This is my special agent badge. Okay, you can laugh if you want to. You're a cop. You're a cop over here. I'm not going to cause any destruction. So very be very careful what you do. You're profiling me. Go for it and I'll take you on down. Okay number 47, authorize the negotiation and execution of a contract for sexual assault advocacy. Cast review services with in Ed violence against women international in the amount of well, it says exceed \$100,000. I just want to let you know that my sister is a very, very good person. That should be here more than us because. Cause she knows what I know about violence toward women. I have respect.

[10:14:50 AM]

toward women. I have respect. But when they show disrespect. But I don't want to have to deal with y'all. One of y'all. Whatever okay, Mrs. Mckenzie, you have been very, very straightforward with me. And by the way, let me make it very clear. I have to. Two FBI agents here in the back. Okay? I'm not going to put up with this crap anymore. I'm not going to put up with people profiling me. And that's what's happening again over here. This cop over here and this cop over here. Try me. I went to the Texas. Where you where you go for your badge. Okay so I'm not an idiot. I might not have been APD. Okay. But I'm going to tell you something, Jesus. I'll go to passando aqui. Okay agrego lalo or vamos aqui. A federal court for federal. What? I said in English. Straighten them up because you don't. We'll go federal. I'm federal. I am federal. Try me. I had enough of

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federal. Try me. I had enough of it. I have shown respect for a lot of people and they have been. I have been disrespected. That's why I. I have a hard cap. And all I want to do is. Let me wrap up. Thank you very much for the hard work they do. The women and they deserve more, better. Some of them don't. Thank you very much. >> Thank you, miss Elizabeth McGraw on item 53 with Greg Naser on deck. >> Good morning. I am speaking on item 53. I am mostly Kathie. I do support the effort gone that went into producing the pard plan, but I'm against the management strategies that pertain to the Edwards plateau region. I am the executive director of the nonprofit project bedrock and I have more than 25 years of experience working on the Edwards plateau as an ecological consultant. The pard plan does not appear to have a well managed

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have a well managed understanding of the complexities and knowledge needed to effect manage Edwards plateau and endangered species habitats and caves. For example, there is no there's little to no mention of endangered species or caves or sinkhole management in the plan. Possibly. Because pard has no in-house casting ology. Hydrology or endangered species specialists. Also, several of the propositions to reduce fire risk would actually increase fire risk for Edwards plateau, juniper oak woodlands and adjacent urban communities. And then there's the overall anti juniper rhetoric, although perhaps more applicable for the blackland prairie parks, the plan ignores the new and updated research that is reading defining our knowledge of the Edwards plateau junipers that the golden teak warbler relies upon. In 2001, mayor Watson and two council members drafted a resolution to move land manager

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resolution to move land manager of endangered species lands from pard to bcp because they realized that bcp managers, because it's so specialized, would detract from pards mission to manage recreational areas. That was 22 years ago, yet the transfer still has not happened. It would be more judicious use of our tax dollars for Austin wildland to manage these lands, which is the bcp part of it, since they already have the funding and the science expertise. Mayor Watson, can you make this happen. >> Craig Nasr item 53. Denise. >> Hello, I'm Craig Nasr. I'm

[10:18:53 AM]

>> Hello, I'm Craig Nasr. I'm the conservation chair of the state chapter of the lone star of the lone star Sierra club. There's a lot of good stuff in item 53, but I don't think there's enough bad stuff in there that I don't think will be helpful that I think it should be looked at again and basically this has to do with a lot of the things Elizabeth mcgreevey was talking about, which is trees and particularly the ash juniper and

its position in the ecosystem of hill country ecology. I have been part of a watershed restoration up in my neighborhood where we have planted hundreds of native trees . And I have watched those native trees over 15 years. And there's one thing you can learn about planting a tree is trees grow in places because of certain reasons we can't see, and that's because we can't see

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and that's because we can't see underground. And so the idea that you can come in and plant take out a very important tree and plant a bunch of other trees and they'll do okay and it'll work. That's a big question mark. We do know that ash, juniper and we're learning more about ash. Juniper that it's very important for the ecosystem there probably to different species in this report. If you read it, it mentions how there's this brushy growth and this tall growth. It's probably two different species and they serve different uses in the evolution of the ecology of the hill country and I don't think we know enough yet to make what this plan asks to do about the trees. I don't think we know enough yet to put that in a plan . And I'm also concerned about fire because I'll tell you, I've been through a lot of the hill country and I've seen a lot of I used to collect old cedar logs for use in terrariums because they last very long. I never once saw a cedar log that was burned. Think about that. If fire was such an important part

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fire was such an important part or even a common thing in the hill country, I think through all those years I would have found a burn cedar log somewhere. Then find one. But anyway, thank you. We have a remote speaker that came into the queue. >> I'm going to call them at this time. We have Zenobia Joseph on items 1027 and 97. >> Thank you, mayor. Council I'm Zenobia Joseph. My comments specifically regarding item ten as project connect community advisor committee bylaws. I object to the removal of the word social as it relates to social equity. It would just remind you that your federal funding is dependent on title six compliance title six of the civil rights act of 1964 prohibits discrimination based on race, color or national origin. I would just call to your attention as it relates to items 97 and 98, the us

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items 97 and 98, the us department of transportation grant for I-35 cap and stitches . I would just remind you that reconnecting communities grant specifies language that would connect communities to jobs, education, health care, food and recreation. However, cap remap June 3rd, 2018, eliminated northeast west connectivity north of us 183 and I would just call your attention that the contract with voters also uses language specifically related to historically underserved and underrepresented community. Rs while black people still wait 60 minutes for the bus, ten times longer than southwest

central whites and dove springs hispanics. As it relates to item 27, that's the \$1.7 million cleanup contract. I would just remind you that on July 20th, 23, you actually approved \$20 million for contracts and homeless encampment cleanups. This appears to be duplicative. And lastly, abuse happens when someone behaves improperly or

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someone behaves improperly or unreasonably or misuses their position or authority in part to write a contract for someone a favor. And that is through the government accountability office 2017. I would just ask you to make the system equitable. If you have any questions, I'll gladly answer them at this time. Thank you. >> Back to in person. We have David Johnson on item. 56 with Alicia torres on deck. Alicia torres on item 56 and 99 with Alex stringer on deck. Alex stringer on item 58 with Daniella silva on deck. >> Good afternoon, mayor and

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>> Good afternoon, mayor and council. My name is Alexis stringer. I'm here to speak in support of item 58 about domestic violence and adding funds to that because believe it or not, I am actually a sexual assault victim. Yes that's right. On June 14th of 2003, I was sexually assaulted by Russell brand after a night out at Chuy's and yes, we had been dating for six months, but before that fateful night, I always made him use a condom because I do not want to get pregnant. Mayor and I take reproductive health very seriously. But after seven margaritas, we were having a great time. We went back to his hotel room at the W and he took my clothes off and he he penetrated me. He P penetrated me without using any, any protection. And just because. Just because I ejaculated three

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Just because I ejaculated three times after afterwards. It doesn't take into account that I was violent, was violated. This violated my Russell brand. What do you want to put. Oh he went inside me with without a condom on. I told him I didn't want it . I didn't want to do that. And you know, just just because we moved in together, did two weeks later, it doesn't it doesn't negate what he did. And I've been living with this trauma for over 20 years now, mayor. >> And honestly, I wasn't even going to say anything but listening to him spew right wing disinformation, talking about the vaccine and the way he criticizes Klaus Schwab and the world economic forum, because these people are only doing things Ed to help fight against global warming and sustain the planet and fight infectious

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planet and fight infectious diseases. >> The way he's speaking out against them. I had to say something. I had to say something. >> Your time is up. Thank you, speaker. Your time is up. >> You're. >> Your time is up. Thank you, mayor. >> Mayor. >> Yes. Council member alter that was not in line with the decorum of this chamber and if that continues, I think we need to hear some consider not inviting that speaker back. >> We've heard from real people who have been victims of sexual assault over and over again and those comments undermine efforts that have been going on for a really long time to change how we respond to sexual assault in this community. >> And then he doesn't have the guts to stay in the room. >> And Mary, mayor, I noticed he left.

[10:27:11 AM]

left. >> Yeah, that's why I was just saying he isn't he doesn't have the guts to stay in the room. >> So doesn't have the guts. That's correct. I just want to make it clear I left the room because I didn't agree with that at all either. And we've had several people come before us who've experienced sexual assault. And that just is not okay. No thank you. >> I think there's unanimity and we're actually voting on several items today in that regard. >> We had a presentation on Tuesday. This is a very serious issue in our community and that was uncalled for. >> Councilmember qadri yeah. >> I'm going to make a quick comment. I joined the councilmembers. I had already spoken walking out. Disgusting. I I can't I can't really think of any other word. And it's not funny to go after folks of or victims of sexual assault. It's not funny to make fun of folks from the gay community or the trans community or immigrants or women or any sort of group. And it seems there's a shtick that keeps happening when certain people come and speak. It's below who we are as a city, a community, and it's just it's

[10:28:12 AM]

community, and it's just it's disgusting. We'll take appropriate action. >> Councilmember pool thank you, mayor. >> I do think we need to take appropriate action, and I think in our rules is the interest of decorum and civic civil discourse. And that definitely has been violated repeatedly by that particular speaker in the past and certainly today, mayor, would it be appropriate to take action to censure? >> No, there wouldn't be appropriate to take action today because it's not posted for us to take action. The presiding officer is given authority to address this issue. I appreciate having the support of what appears to be the entire council in what I will do in that regard to take appropriate action and planned on doing it in any event. But I appreciate that everybody seems to be unanimous on this. It's unfortunate that well, everything's been said and needs to be said mayor pro tem except what the mayor pro tem says.

[10:29:14 AM]

says. >> I agree. Completely disgusting, completely inappropriate. And this is not the first time that individual has gone after folks. So if anyone needs assistance on the back end, finding footage of when he was behaving homophobic and saying other inappropriate things on this dais, I'm happy to lend my assistance. Thank you . All right. >> Thank you all. City clerk. I'll go back to you all for speakers and apologize to whoever gets to follow. >> Next, we have Jerry fry on item 97 with Kevin brown on deck . >> Mister fry. Good morning. >> Thank you, mayor and council for having us here today. Am speaking in support of item 97. My name is Jerry fry. I've been in Austin for over 25 years as a resident and I'm currently a downtown resident and also a former chairman of the board of the downtown Austin alliance. >> The cap and stitch funding, I

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>> The cap and stitch funding, I believe, is very, very important to the community to make the connectivity that we're all looking for between the west and east side of I-35. There are so many benefits to be gained from this, and I'm not going to be to elaborate on it because there's a number of other people that are going to echo my thoughts on this matter. But I wish the council would seriously consider to approve the funding that we're looking at for the cap and stitch program. And it's going to be a generational and transformative opportunity for the city of Austin. Thank you so much. Kevin brown. >> Item 97 with Joel schiera on deck. >> Good morning. Thank you. Mayor and council for consideration of this important agenda item. My name is Kevin brown. I am a downtown Austin alliance board member. Its current vice chair. I'm a lawyer by day and an artist by night. And for today's purposes, a

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And for today's purposes, a staunch and massive public realm advocate. I support item 97, the downtown Austin alliance has been a leading partner on the cap and stitch project for many years now, working with the city of Austin, tex. Dot, the urban land institute. Community leaders and the public to make sure that the project reflects all of Austin. This grant would provide the city and our community with a critical and significant opportunity to create, design and construct something truly iconic, something transformative through Austin's primary transportation artery. We have the opportunity to envision and construct a truly spectacular public space, one focused on green space necessary for all central Texans, but also one focused on arts and community that is welcoming for all at the same time, we have a historical

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time, we have a historical moment that we can ensure that we're reconnect Singh our community and ending the historical divisions stemming from the highway's original construction. This fiscal transformation Ann has the opportunity for a collective impact through healing and emotional connections. This truly is a once in a lifetime generational legacy. Opportunity we should not miss it. Thank you . >> Joel schiera item 97 with Larry graham on deck. >> Thank you. Member. >> Thank you. Thank you. Mayor and city council members for everything you do for our great city and I am here in support of item 97. My name is Joel Scher and I have been in austin since attending grad school in 1980. I met my wife in school, raised our family here and now and am now a proud grandparent. When I moved here there was no pennybacker bridge. Mopac ended at far west with no bridge across what was then town lake

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across what was then town lake and the Mueller redevelopment was our airport. I can't imagine Austin without these, and I'm grateful that I've had the opportunity to use these transformational projects since I've been at downtown employer for over 25 years and civically active as a past chair of the downtown Austin alliance and the city of Austin downtown commission. During this time I have witnessed many transformational projects downtown that have provided benefits to all our citizens. These include waller creek tunnel, leading to the Waterloo greenway. Brackenridge hospital redeveloped Swint, leading to the medical school innovation district. Sobering center and ultimately affordable housing. Red line led to redevelopment of plaza saltillo, Seaholm power plant redevelopment into a vibrant employment residential and retail destination, including our incredible library . With the lowering of I-35, we have the opportunity to right past wrongs and reconnect

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past wrongs and reconnect downtown with east Austin, with the grant application item 97, we have a once in a generation opportunity to reconnect communities and provide a cap that will not only reduce the impact of the highway, but also provide additional public space where none currently exists. I ask that you please approve item 97 for the grant application to provide funding for this transformational project. Thank you. >> Thank you, Larry graham. >> Item 97 with Cheryl Skolnick . >> Thank you. Mayor Watson and members of the council. >> My name is Larry graham and I work for Texas gas service and I have served on the board of the downtown Austin alliance for the past dozen years. I'm here because I'm in support of item 97. This federal grant will help to reconstruct and reconnect east Austin and downtown through a cap over the redeveloped I-35 . The project has the potential

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. The project has the potential to truly change the landscape of central Austin. For many years as some of my fellow board members have stated, some of these connections include historic neighborhoods, elementary schools, the Mexican American heritage, cultural center, palm park and school plaza, saltillo, transit connections and many more. For the past 15 years, I have commuted to work at my office on my bicycle about three days a week, and when you ride a bike, you view the city in a different way and you can experience firsthand how highways and freeways can divide neighborhoods. The experience is much different than being in a car today. Shea crossing I-35 downtown Ann is really a nightmare for pedestrians and bicyclists. So I'm excited. Not only that there may be a better connection Ann across I-35 between Cesar Chavez and Ford street when the cap is built. But I'm excited about connecting

[10:36:23 AM]

But I'm excited about connecting the east and the west sides of I-35 and removing the barriers. The mission of the downtown Austin alliance is to create, preserve and enhance the vibe, vitality and value of downtown Austin for everyone, a downtown for everyone. Ann. Please support this grant application and help continue to make downtown a downtown for everyone. Thank you. Thank you, sir. >> Sheryl Sculley with Ashley Kegley whitehead on deck. >> Ms. Scully just one second. I'm told that some people what we're trying to do is if an item has been pulled, we're going to allow people to. We've had a lot of the community say they would like to speak at the time the item is going to be taken up. So in an effort and in deference to the effort to make that where people can do that, we're are having people speak at that time when the item is brought up. So if there's confusion about why

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if there's confusion about why your name hadn't been called, you signed up on a specific item that's been pulled. If you wish to speak. However, because this is a more convenient time, feel free to come up to the clerk's office and they will check you off because we want to give you that option of convenience as well. I'm sorry to interrupt you, Ms. Scully >> Good morning, mayor. >> Council members, city manager thank you for your service to the community. My name is Cheryl Scully. I'm a resident of downtown Austin and also a member of the downtown Austin alliance board of directors. As many of us are here this morning, as you've heard, to support item number 97 in support of your application Ann to the department of transportation for the cap and stitch from Cesar Chavez up to fourth street. We all could name many cities where freeways by sect and dissect the community as I-35 is certainly a perfect

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as I-35 is certainly a perfect example of that. And we believe that this project will enable us to reconnect the community as a capital project, but also as a symbol that we are committed to reconnecting the

community and doing what is right for all of Austin. There are so many projects that are happening downtown. There's a bit of serendipity here because this project comes as we are looking at the redevelopment of palm park palm school, all the redesign and reconfiguration of the Austin convention center, waller creek and the multitude of development that is happening on the east side. We strongly support and urge you to vote yes on item 97. Thank you. Thank you . >> We've got Ashley Kegley whitehead on item 97 with Matt gaskin. Deck mayor, mayor pro tem, council members.

[10:39:25 AM]

tem, council members. >> My name is Ashley Kegley whitehead. I'm a longtime austinite mom of two, a district one resident. And like many of my colleagues, a proud member of the downtown Austin alliance, I've worked on a number of road projects throughout the years from the opening of the 290 toll road to the construction of mopac express lanes to the 183 expansion and a number of other county road bond projects. I've seen firsthand the economic and social benefit. These transformational road projects have and bring to their communities and to the region. But we're not here today to talk about the merits of a road project, and I urge you not to conflate the issue today is about placemaking and community building. We're here to take the first steps in writing an eight lane wrong that that has for far too long divided our great city . Item 97 is about so much more than a financing play. It is

[10:40:26 AM]

than a financing play. It is about strengthening a connection between people and the places that we all share. Far from historic landmarks and neighborhoods to public parks and schools, we all have something to gain from better connectivity. I've heard the phrase caps, not gaps, used to describe this project, and while it is catchy and also very true, I fear it diminishes the significance of the grant that is before you. Because what you have is a monumental opportunity to make an indelible impact on the future of Austin and not just for today or for tomorrow, but for many generations to come . Now, more than ever, our community needs champions and advocates. We need strong leaders with big vision. It's a tall order, but I know that you're up for it. I hope you're up for it. Please vote yes on item 97. Thank you. >> Thank you, Matt Gorsky on items 97 and 101.

[10:41:28 AM]

items 97 and 101. >> Good morning, mayor and council. Thank you for allowing us to speak today. You've heard from a lot of our colleagues at the downtown arts alliance. I'm here in support of 97 101, and I think 102 may have been pulled or 101. But if I can all three sort of tie together. So I'll just talk briefly on that, if that's okay. Mayor yes. So we are here in support of these items or commonly known as the reconnecting communities neighborhood grant for our future 35 or cap and stitch, healthsouth

redevelopment and the palm district vision. I want to thank each and every one of your staff and yourselves for meeting with us over these items these past few weeks. And also thank you to councilmember qadri and his team for your leadership on the healthsouth redevelopment and his team as well as for working with us as we've gone through many, many iterations, each of these three items are intricately linked. And while the completion of one of these projects, or absent the others, would be a success, it would, in our opinion, fall far short of the transformative, transformative potential for both the eastern section of

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both the eastern section of downtown and east Austin. For years we have worked with city staff policy leaders and community stakeholders to envision a near future that includes a vibrant palm district that pairs new development with affordable housing neighborhood amenities and preserves the cultural and entertainment venues that make Austin Austin Ann. And within that framework, new housing and public amenities on what is commonly known as healthsouth. To top it all off pun intended, residents and visitors alike will be able to enjoy new green space and other amenities over I-35. And then real quickly on healthsouth, we support council member Cordray's leadership on looking at taking a little bit more time to identify what the true and best use for that property is as we support the proposal to bifurcate the parcel, to look at affordable housing as well as having mixed use amenities. On the other other piece, with your support today, we believe we will be able to continue this vision and build on the momentum that began years ago and we will

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that began years ago and we will continue to be a community partner and steward of downtown's future. Thank you again for your time today and thank you for your leadership for the city of Austin. Thank you, sir. >> Mayor, we've had a few people reach out to our office. They want to speak now, even though the item was pulled. So I'm going to call them now on item 99, we have mem styles. >> Mimi yes, good morning and thank you so much, mayor, for making space for those that are kind of waiting on the phone for that, for to speak. >> I appreciate that. I just wanted to call and say that I strongly endorse item 99 and encourage everyone to do the same. We have to ensure that our police department operates transparently and under solid oversight following the will of the voters. You know, it's been it's, you know, for months have passed since prop a legally went into effect. And it's in a way disheartening to see this. The current state of police oversight and transparency. And

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oversight and transparency. And to be honest with you, it's unacceptable, knell and so we have to act swiftly to rectify the situation and to ensure that the reforms that were promise to us in prop a are implemented without further delay. And to me, it's crucial to note that that, you know, the many tasks assigned to the ops office by this resolution have previously been carried out without special personnel or training. And so any any attempt to delay the implementation of prop eight based on resource limitations, it has to be seen for what it is. It's literally Jackie effort to impede increased police oversight and transparency. And so you know, just to not let bureaucratic obstacles or political, you know, issues impede the aim for progress. It's, you know, we have spoken Wright Austin has spoken, choosing prop eight over prop B, and so we owe it to us, to all of us, to follow through on this mandate and to, you know, to

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mandate and to, you know, to create a police department that's accountable and to transparent. Again, I appreciate the time and again, mayor, I also appreciate the calling in of those of us that are waiting that that definitely shows support to community D. All right. Your attention is critical in this matter. I appreciate you all. Have a great day. >> Next, we have have Lauren oral on item 99. >> Good morning. >> This is Lauren mattel and I live in district one. I also want to encourage you to pass item 99. We owe it to the voters in Austin, the thousands of people in our city submitting complaints about police each year. And to everyone who may be harmed by police in the future to pass this and ensure the APD receives strong oversight and transparency, I'm sorry, but it has become embarrassing for our city that austinites have had to vote for this. So many times and that most of you city council

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that most of you city council members have also voted for this before and it still hasn't happened. So please, we need you to move forward. Thank you so much for your time. >> Next, we have Michael ward Jr in person on item 99. >> Good day, everyone. My name is Michael ward Jr and I'm here because prop eight was approved on may 6th 23 to support reasonable independent fact finding about police conduct and greater transparency to deter misconduct and hold police accountable. As a business owner, homeowner, community leader, husband, father of two. Child of god, and being in Austin for almost a decade now, I'm speaking for the individuals and companies I work with and those that support prop eight but couldn't be here today. I'm urging you all to pass item 99

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urging you all to pass item 99 this week. So those harmed by police received the investigations and follow up that they deserve. Item 9099 is an opportune city for you all to show you here. Support and

are currently solving the needs of the community. Approving item 99 this week will also show that this council has integrity holds each other accountable and seeks justice for all. Looking forward to seeing item 99 passed this week to support reasonable, independent fact finding about police processes to encourage greater transparency, deter misconduct and hold police accountable. And last but not least, I urge you all, if there's anything else pending that has already been approved, let's go ahead and act on it. Because the longer things slow down, the more fires we can have to put out later. So I urge you all to do that. Thank you. >> Back to those who signed up on consent items. We've got Carol Mae Williams on item 100. >> Good morning, everyone. Thank

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>> Good morning, everyone. Thank you all for allowing me to take up a little of your time this morning. I am calling I'm here this morning with the montopolis community and I support item 100. And this is about the property adjacent property to the montopolis school. I am a lifetime time resident of the montopolis community. I am also the founder of the community group montopolis proud and yes, I am proud. I'm proud that I grew up in this community. I am proud also to be a member of saint Edward's Baptist church, which is one of the oldest black churches in the city of Austin. It's located it was located at four eight montopolis drive. And also I'm proud that our church did donate the property for the montopolis school and at this time, I'm proud that we did have a black school in the community where the children could go and get their education. My mother went to that school. All her siblings went to that school. My elder siblings went to that

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elder siblings went to that school. And then there was a time that the church was moved. And so therefore we had to move. We had to relocate down the road at 702 montopolis. So we went next to the school anymore. But eventually the school closed. But what I'm mostly proud of today, we did get relocated. God made a way. We was right down the street. I'm here today because I understand we are celebrating the dedication of the adjacent property to the montopolis school. I'm proud that there were provisions that was made that these properties are back together again. So the community is really shouting and we're really happy. I want to thank each and every one of you the provision that made those provisions to make this possible . So I want to thank the city of Austin parks and recreation. In the planning. There's going to be more planning and development for the school and hopefully it's going to be for my grandchildren, my great grandchildren. Ann they will be proud to see. I want to thank you again for this opportunity. I just want to tell each and

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I just want to tell each and every one of you smile more than you cry. Give more than you take love more than you hate. Thank you for your time. >> That concludes all speakers on non pulled items. >> Thank you very much. Members. Again, the items that have been pulled are. 53, 55, 989 and 101. Let me ask, are there any other items that anyone wishes to pull from the consent agenda as it's been read? All right. On item number members, when I read changes and corrections into the record, I read that item number 67 has been postponed. And that should read, postponed until the October 19th meeting. So for the record, and a change in correction is item 67 has been postponed until the October 19th meeting. Members, you've heard

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meeting. Members, you've heard the consent agenda. Let me get a motion on the consent agenda as read, the motion is made to adopt it by council member harper-madison and seconded by the mayor pro tem. Let me ask if there's anyone wishing to be shown abstaining from the consent agenda as read. I have one recused. I'll and that is council member vela on item number 53. Are there any other members? I'm sorry, did I get the number wrong? >> 63, I believe. Mayor oh, apologies. >> No, it's probably my mistake. So council member vela is shown being recused from a vote on item number 63. Anyone else wishing to be shown council member Alison alter? >> I would like to be shown abstaining on item 74, which I think you call abstentions. I did council member Alison alter will be shown as abstaining on item number 74. >> Is there anyone else wishing

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>> Is there anyone else wishing to be shown, abstaining or recusing? Councilmember vela mayor I just wanted to explain my item. >> Number 63 gives money to texas-rio grande legal aid, my wife's employer. So because of that, I'm recusing. Very good. >> Anyone wishing to be shown voting no on any of the items on the consent agenda as it's been read. All right. I'm going to go ahead and take it unless somebody wishes to comment. Now now I'm going to go ahead and take a vote. The chair intends to take up a vote on the consent agenda without objection. And I'll ask, is there any any any objection? Hearing no objection. The consent agenda is approved. Now, I'll recognize council members to speak and make brief remarks with regard to the consent agenda and the order. I'll go in. Is the mayor pro tem, council member, Kelly council member pool. All right, council member. The mayor pro tem.

[10:53:42 AM]

member. The mayor pro tem. >> It's a good place to start. I'm really excited about item number four. Today it's updating the universal recycling ordinance to include multifamily composting in 2021. Composting had finally been extended to all single family homes, but apartments and condos still have

not had access to composting. So this ordinance comes after a long pilot program that spanned the duration of the pandemic. And as an apartment dweller myself, I look forward to folks who live in multi-family structures being able to participate in the expansion of the program to help divert organic materials from landfills. The original co-sponsor was are mayor Adler. Mayor pro tem Delia. Garza council members Allison alter and Leslie pool. So I appreciate them working with me on this throughout the years. Item number 96, I want to applaud the office of sustainability for successfully pursuing a \$1 million EPA climate pollution reduction grant to create a regional Austin msa priority climate plan and a comprehensive climate plan over the next three

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climate plan over the next three years. These aim to expand our planning and action beyond the city limits. Partner with our surrounding counties and cities and prepare for the \$4.6 billion in competitive implementation. Grants for climate action that will be released in the next two years. I also want to thank our regional partners that signed on to join us in this critical initiative, and those include campo capco as well as Kyle Buda , San Marcos, lakeway, cedar park, Round Rock and pflugerville and Travis hays and bastrop counties. They will start work in October and begin hiring staff and engaging stakeholders on this important project. Item 97, as we discuss it in our work session on Tuesday's authorizing the submittal of grant application to the us dot reconnecting communities and neighborhoods for the I-35 captain stitch from Cesar Chavez to fourth street. As we discussed on Tuesday, we must do everything possible to prevent the I-35 expansion from further physically dividing our community and harming our environment. An item 98 accepts

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environment. An item 98 accepts us dot dollars for the planning efforts already underway for the caps and stitches our transportation and public works team has been quite successful in other federal grant applications, so I extend my thanks to those who have been working hard to keep our limited dollars to help our limited dollars stretch as far as possible in an effort to create safer transportation and mobility options for all. Thank you, mayor pro tem councilmember Kelly, then councilmember pool. >> Thank you, mayor and members . I'd like to thank all the community members and organizations, including several council members who joined me this morning in proclaiming September as national suicide prevention month here in the city of Austin. I'd like to thank my co sponsors for their support on this proclamation Ann and the subsequent resolution item number 68, the measure that we passed today is a resolution that further empowers and equips the city and its residents to help those who are battling. Oftentimes silent challenges. Every single day. My suicide prevention resolution, Ann today will express the council's commitment to end suicide,

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commitment to end suicide, directing the city manager to perform additional outreach on the prevention of suicide and initiate amendments to section 4-3-45 of the city code related to design and operation required of archery range or shooting facility and report back to council by November of 2023 and adds the city support to end suicide by adding it to the city's legislative agenda. I'd like to thank my co sponsors, council members. Allison alter, council member Ryan alter and council member Velasquez and the entire dais for the support of this item. Colleagues I just want to say I've spoken with many people in the community who've been affected by this tragedy, even this morning, brave individuals in our community came up to me in the atrium to share their personal stories surrounding suicide. This is extremely important work, and I'm thankful for the support of this body and city leadership to come together and fortify our resources and outreach for a strong commitment to serving our community who may be struggling without us even knowing. In closing, in the United States, suicide deaths increase in 2022, rising from

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increase in 2022, rising from 48,183 in 2021 to an estimated 48,449 in 2022. If you're experiencing thoughts of suicide, please call 908. The national suicide prevention hotline. You can also call 911 and ask for mental health services. With that, mayor, I yield back. Thank you. Thank you. >> Councilmember. Councilmember pool, followed by councilmember Allison alter. >> Thanks, mayor. >> I wanted to talk on items relating to the extension of the balconies canyonland conservation plan and specifically item eight, which is the approval of the resolution that authorizes the submittal of the applicable action to us fish and wildlife service to extend the permit for a duration of another 15 years. This is a really important moment in the life of this permit and as the city council and the city's representative to

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and the city's representative to that board since 2015, I wanted to really mark that mark this point. So item seven, eight and nine, which extend the permit for 15 years is really takes us to the next level in terms of mitigating habitat and protecting habitat for endangered species. The bcp is really one of the longest and most successful partnerships. The city has had with Travis county with the original federal permit being signed in 1996. And some of you, in listening range or maybe in this room, will remember those discussions and the vote that we took in order to agree to preserve, to submit that permit and to preserve that land. And today we have one of the nation's largest urban preserves in the nation in the balconies canyonlands preserve right here in river city. And it is home to seven endangered

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is home to seven endangered species and other species of concern. I want to thank kymberley Harvey and sherry Kuhl and their team, sherry and kymberley are here today and I think kymberley may be joining us virtually. They have put extraordinary work into this permit and its extension, and it is because of their efforts that we successfully negotiated that extension application. Thank you , mayor. >> Thank you, councilmember Allison alter, followed by Ryan alter. >> Thank you. I'm really pleased to see us approving items 47 and 48 which move forward contracts for an outside review of how we handled sexual assault cases opened between 2021 and 2022, as well as an audit of how the city has implemented the required elements of the sexual assault lawsuit, settlements and the recommendations of the per comprehensive evaluation of our sexual assault response system. I also want to acknowledge that there are several other

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there are several other important agenda items which accept additional grant funding for a sexual assault response system as we heard at Tuesday's work session, these items aren't just contracts and grants. They are agreements they are commitments that stem from hard collaborative work and involve real lives, real traumas and real persists on the part of advocates and survivors who are holding us us accountable to make real systemic change. I've worked very hard to ensure that we invest in our victim services and sex crimes units, so we can respond to past failures and live up to the commitments we made in our settlement with survivors. But the real work is done day in and day out by our sex crimes unit detectives and staff. Our victim services counselors, our outside advocates and our communities. Many, many, many survivors. We must all continue working to build a world where sexual assault doesn't happen in the first place. And as we work to

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first place. And as we work to get there, we need to make sure our system does right by survivors on totally different note, I also want to add that I'm very pleased that we are moving forward with construction of the canyon creek ems fire station and the spicewood springs mobility project. Both of which are in district ten. I'm also glad that we are moving forward with the multifamily composting in item four and want to acknowledge mayor pro tem Alyssa's work on that issue, which I was pleased to co-sponsor when it came before us originally. Thank you. >> Thank you. Councilmember councilmember Ryan alter, followed by councilmember Velasquez. >> Thank you very much, mayor. I think I'm going to echo quite a bit of what the mayor pro tem had to say starting with item four. I really appreciate her leadership on this item. I too am really excited that we're going to be able to bring composting to the entire city right now we have cut out half the city and we're never meet our garbage diversion goals. If we exclude 50% of the city. So I just want to thank you for

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just want to thank you for really putting in the hard work on this. And I'm really excited to see what results that yields for us. And in the same vein, item number 96 for the regional the regional plan money for reducing greenhouse gas emissions is just it's critical greenhouse gases don't care if they're in the city of Austin or bkv or pflugerville. We all feel the effects. And so this will help us take a more comprehensive approach to addressing climate change, which we just have to do. So I want to thank you very much. >> Thank you, councilmember councilmember Velasquez and then councilmember harper-madison. >> We're excited and honored to be presenting item 100 today, dedicating 500 montopolis and saint Edward's Baptist church tract as parkland 500. Montopolis is home of the historic montopolis school, described as what was once a safe haven for Austin's black students. S during segregation, the montopolis school is a vital historical and cultural landmark to the Austin community. The

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to the Austin community. The adjacent tract was once home to the saint Edward's Baptist church, the oldest black Baptist church in the county. The church extended its arms to montopolis school by donating land in 1935, when the school's infrastructure was destroyed in a flood and a new home was needed. This land holds considerable significance to the history of the city of Austin, making its preservation crucial to the community and its surrounding neighbors in collaboration with the community . The parks department has been working on protecting these historic properties, and they collectively agree that this dedication is the most effective way to preserve the history of this land for generations to come. I want to thank my co sponsors, council member Ryan alter, council member Vanessa Fuentes, council member Natasha harper-madison council member chito vela and thank you to my policy advisor Jalen Valero for all her hard work on this. Thank you to Ms. Williams for her inspiring words today and to the members of montopolis proud for their advocacy. >> We thank you. Council member . Council member harper-madison

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. Council member harper-madison thank you, mayor. >> I'd like to start by saying I'd like to be added as a co sponsor for item number four and item number 68. >> You'll be shown as a co sponsor of four and 68. >> Thank you. That was all I had to say. Very good. >> Anyone else that wishes to speak, I want to make a couple of comments about two of the items. Item number 5018 and related items that relate to the greater Austin Travis county regional radio system. And I want to make sure folks know what the council just did one night back in December of 96. There was a six alarm fire near the university of Texas campus, and our fire department at that point in time couldn't communicate with our police department to move their patrol cars out of the way from fire hydrants. And during a flood, a tornado, a

fire or some other event that brings in multiple agencies. No one was able to talk to each other using their radios. So what happened is the city of Austin implemented something that was really smart

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something that was really smart and it grew into something that's not just smart, but also very useful. What started was a coalition of the city of Austin and Travis county and UT and Austin and AISD, but that grew into a partnership with other public safety and government agencies across central Texas. What's pronounced as Gators. And it's Gators. As I indicated a minute ago, that stands for the greater Austin Travis county regional radio system. Gators went live in 2003 and now provides highly reliable voice radio communications for public safety and public service organizations. Austin is the managing partner of Gator. We own and operate the brains of the system, and other agencies enter into agreements with Austin to get to use it. In 2005, the federal government gave Austin a \$6 million grant to upgrade Gators as a master site that can be used statewide and now Gators is being used in 43 different counties and by numerous state and federal

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numerous state and federal agencies. His last year, everybody remembers an unthinkable tragedy that occurred at Robb elementary school in Uvalde, Texas, nearly 400 law enforcement officers from 23 different agencies responded and they couldn't talk to each other, nor could they communicate with the officers inside the school. Item 51 today is an agreement to support Uvalde county access to Gators. Uvalde county and its nearby sister counties want to improve the two way radio system to better serve the public. And I'm grateful that the city of Austin is in a position and has the ability to help and is now helping with regard to item number 97, I want to put some clarity on some things that have come out with regard to that. I appreciate the council moving forward, a key goal of pushing and pushing and pushing to get this road to I-35 lowered, taking out the upper decks and things of that nature was so

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things of that nature was so that we could have the potential for not only reducing the divide it created and that it continues to perpetuate, but so that we might have caps and stitches that allow for better connections to TxDOT has worked hard as a partner with us to do that as we continue the dialog about caps and how they should be used, where they should go. We've had trusted members of the public that have pointed out that a key spot, a place that in many ways could best represent the reconnecting the community would be a cap at 11th and 12th street in that area. The feedback initially was that you can't do that for life and safety reasons because with the capping from the river to eighth street, you'd create a tunnel of sorts that would create engineering problems, getting air flow and potentially emergency

equipment in there if they were needed. Simply put in non engineering ways, you need a gap of sorts to make the engineering work for life safety

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engineering work for life safety reasons and that gap until now has been in the area of 11th and 12th street. The problem with that is that assumes that the caps up the eighth street from fourth to eighth street are there. That they're there, they're going to be there, and that they're necessary. There may be a better place to engineer the gaps and as a result, get caps in the better place to achieve the highest goal of capping, which appears to be in the 11th and 12th street area. I've had continued communicate with txdot much a couple times, including last night and this morning, and I have a commitment that tex dot is going to prioritize the 11th and 12th street caps and as necessary remove move capping from fourth street up to the 11th and 12th street area. I've been told that they fully understand the goal, they embrace it and they believe with this change in approach, they can get it done. And I've seen

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can get it done. And I've seen their creativity in the past and I think they can do this. It's I'm thankful again for how they want to make this a tremendous focus, generational project. And I want to say thank you to the Austin ites that continue to provide input in a positive way that help us to continue to improve this project. Now, as for the grant application, we aren't far enough along in that to make not far enough along on the 11th and 12th street cap part of it to include that in part because we don't know exactly how it will be done, how big it might be, and we don't want to lose the chance on any other capping that we might get. But the case that's been made for the 11th and 12th street cap means we will prioritize it and we'll be looking for ways to fund that. So again, thanks as anyone else. Councilmember Harper Madison thank you, mayor . >> Just your commentary inspired some real appreciate passion on my part for what has otherwise been neglected, especially 12th

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been neglected, especially 12th street. But I wanted to just point out that that cap at 12th street would get folks on the east side of I-35 right to Waterloo park. And the one at 11th street would take folks right to the capitol. So I think it's really important and very much appreciate that you put some some heat on it. Thank you. >> Thank you. Councilmember members, that concludes the consent agenda. Without objection, we will recess the Austin city council meeting at 11:11 A.M.

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I will call back to order for the city council meeting at 11:25 A.M.

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11:25 A.M. Hang with me just a second. I want to make sure we let me let me ask the city clerk's office, are there any people signed up to speak on item 82 at the public hearing on item 82? >> Yes. We have one speaker for 82. >> All right. And Ed. How about 104? Yes one speaker for 104. >> Okay. And we have one for 82, 102 as well. >> Yeah, I figured we would on that. All right, members, what I'm going to do is go to item

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I'm going to do is go to item number 53 and then depending upon how we move into the noon hour, if with your permission, I'll kind of be air traffic controller here. I'm trying to move us through these items. The first item will be item number 53. And that was pulled by councilmember Allison alter. And I'll recognize councilmember Allison alter. >> Thank you so much. I'm going to make a motion and then I'll make some comments after the motion. I would like to move approval to adopt the recommended land management strategies and climate vulnerability analysis for Austin parks and recreation department natural areas item 53 together either with the motion sheet version two that was distributed. I'd also council members. >> The motion is made by councilmember Allison alter and seconded by councilmember pool to adopt item number 53 with the addition of the direction that is set forth in version two,

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is set forth in version two, which is on the yellow sheet that you received. And I believe in the backup and I'll recognize I'll call on the city clerk to tell us if we have speakers. >> Yes, at this time we do not have any remote, so I'll go to in person. We have Laila Bella on item 53. >> Hi, I'm Layla. Bella. Thank you for having me. It's good to see you back there. So I find this to be a very dangerous proposal. In the words of Matt himself, who works for the program he had sent an email a couple of years ago where he himself said that these prescribed burns can actually cause fires and don't necessarily prevent them. Now when they know this and they're still recommending that we do this in this state of Austin

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this in this state of Austin right now after a drought, I find that dangerous. Our ash junipers are absolutely not a fire hazard. We've already lost so many trees to go and deforest any more right now is dangerous. It's environmentally just awful for Austin and I think we need to either pause and really look at this plan or we need to just not go forward with it at this time. Our ash junipers have been here for thousands of years and our geology is very different than the geology in the west coast where people can train people to do these prescribed burns. We have an uplift. We have a we had earthquakes that caused aquifers. That's why our trees stay green all year. So you look at Austin now, it's emerald green. Even after this horrible drought, these trees have stayed green because there's water that keeps them green. So they're not a fire

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green. So they're not a fire hazard. So we don't need to be deforest ING anymore. We need to be definitely taking care of our junipers, taking care of our endangered species who rely on these junipers and also, I think, you know, we need to step back and see who's training people are they training people according to our geology or the geology of the west coast, where their faults slide past each other? They don't create these spaces for aquifers. So I just think we need to take pause and really reconsider this. That's what I had to say. Thank you. Next we have Roy W an item 53 with bill bunch on deck. >> Howdy, y'all. My name is Roy Whaley. I'm the conservation chair for the Austin regional group of the Sierra club. And

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group of the Sierra club. And with respect to our friends at part, we disagree with this plan, or at least parts of it. Let me read you an excerpt from a letter. I hope that all of you have received the proposed land management plan utilizes early pioneer traditional practices of deforestation intended to promote growth for livestock foraging and provide wood for building and firewood and to supply recreation and artificially made ecosystem, but continues and this is important continues the damage to the eco system undergoing natural rebuilding of soil and forest succession. The plan does not even acknowledge that such diverse deforestation, ocean and soil loss have historically occurred and was a factor in land. Degraff nation park park's long legacy of filling endangered species caves,

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endangered species caves, killing coyotes, applying pesticides and other toxic materials, and clearing trees that are not suited for ranch management. Then extremely sensitive preserves. So it's not that the

whole idea is bad, it just doesn't fit what we should be doing with our parks. I don't have to be an expert. I know experts and I trust them and this I hope all of you all have received this letter. And if nothing else, if you don't amend the project or the plan because we're not objecting Singh to all of it, but we do want to have the expertise keys to deal with the endangered species areas. The cave areas, that part lacks. We love part and Sierra club loves part and we respect the people there, but they don't have the experts that the bcp does. And we think it should be left to the people with

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left to the people with expertise rather than lawnmowers and matches. Thank you. Thank you, mayor. >> Very quickly, again, a clarification on item 99. There are several speakers who had called in remotely and disconnected. And if they want to reconnect the instructions on their email states who to email and we will provide them with the call in number. So please email that person and we will get you connected. Thank you. >> And that's for item 99. >> For 99, that will be heard. That was pulled 99. >> We're on item 53. We will go from 53 to 55, depending upon what our time situation is. Item 99, we will have an executive session on before we bring it up. And then we also have one on one that's been pulled. Item. >> Mr. Mayor, may I? >> Yes, I would like for maybe director Mcnealy to offer some clarification. >> We've had lots of speakers on 53. The way I'm reading it, it

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53. The way I'm reading it, it says analysis, not plan. So I want to make sure I'm understanding that correctly. We will call her up with your permission. >> We'll call her up when we finish with the speaker. >> Of course. Thank you. Very good. >> Mr. Bunch. Sorry to interrupt . Yeah. >> Thank you, mayor. Council members. Bill bunch, save our springs alliance. I sent you all a letter yesterday on this matter asking you to postpone for a better process. And we really appreciate the efforts of the mayor to improve our public processes. I think this is an ideal example. Maybe ideal is not the right word. An example of a process that failed us. You have world class scientists working for the city of Austin and many of them for decades who are experts on protecting caves and endangered cave species as protecting our watersheds, enhancing recharge to our aquifers, improving stream flow,

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aquifers, improving stream flow, protecting water quality, and then protecting our endangered golden cheeked warbler. Those people were cut out of the preparation of the plan. That's before you. You've heard from many of the other speakers. I second everything you've already heard, and you'll see that in our in our letter this plan is not consistent with our Austin climate equity plan. We have a climate emergency. The previous council declared it a it should be obvious to us all we have absolutely no

business cutting down trees that store carbon in burning trees and shrubs that store carbon. In making our fire risk even more dangerous, not reducing fire risk. Please. This this this needs the expertise is from your staff and fd hydr biologist Nico Howard, who's recognized as the expert on

[11:35:33 AM]

recognized as the expert on caves and protecting the Edwards, offers a few others that were not included. What you have is a ranch management plan before you. This is not a natural area management plan. Please please, let's. Let's pay attention to the science and let's pay attention to our both our legal and our moral obligation to do this right. Thank you. >> Thank you. That concludes the speakers on item 53. Great I'm going to call up the parks director, but I'll start with comments that council might have just in addition to our city parks folks to respond. >> I'd like to make sure that folks who work with bcp, I see sherry cool back here. I think she's here and she's willing. She's able to comment as well from the camp balcones canyonlands preserve perspective. Thank you. >> You're welcome. Sorry.

[11:36:33 AM]

>> You're welcome. Sorry. Kimberley bunch choked me up so kymberley Mcneely serving as the parks and recreation director. >> So to answer the specific question, it is called an analysis and we're referring to it as a guide. And it is not a plan that we might think about. When you think about a vision plan where it has phases and there's very there's certain things that are more prescribed. This is really about these are the describing the sorts of lands that we have. And then describing the types of interventions that may be possible. And there's a list of them that could be put in a toolbox. This is completely layman's terms, please. So I do have expertise behind me, but but it's a bunch of tools in a toolbox that are interventions that could be applied to a particular piece of land that meets a specific sort of criteria. And it's supposed to be a guide for over the next ten years. And we know now as as many of the individuals who have spoken, we don't know what's

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spoken, we don't know what's going to happen in five years or what the lands will look like in ten years. And so that's the whole idea is we have this guide, we have an analysis, we have criteria to apply as we make decisions over time. And that's not to say that certain tools that are absolutely appropriate today will be appropriate in ten years. And it's also not to say that when we get to that particular piece of land, when we've selected that particular piece of land as as the as something that we want to manage in a particular way, we're there will also be an opportunity for us to engage community and find out how comfortable are you with all these different interventions? What is the outcome that we actually want and how can we make that happen? And over what amount of time will that happen? So that's in

complete layman's terms. If you need more expertise, we can certainly call up Matt McCall or other individuals from our team. >> Thank you, director McKenzie. I oh, am I on your thing? >> I just wanted that clarification. And I also wanted to recognize that how many

[11:38:35 AM]

to recognize that how many people had concerns that this was a fluid plan and so as concerns are raised that it's not set in stone. But I think you answered that. Thank you, councilmember, for pool, is there somebody you would like us yeah. >> Sherry cool. And then I see John cool is in the audience too. And I think John, you're with Travis county. Are you here to. Okay thank you. >> Good afternoon. Morning. No, no, no, no, no. >> Don't push it. >> Morning. Good morning. I'm sherry Cole. I'm the environmental resource officer for Austin water, and I've been involved with the balconies canyonlands conservation plan since the beginning. And our staff. I just wanted to clarify . We're involved working with part on this plan. We had staff that were involved in the scoping for the consultants and then we had kymberley Harvey was involved in the review of all the proposals that came in our staff provided comments on the

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staff provided comments on the plan that were incorporated into the plan. The majority of those comments at the balconies canyonlands habitat conservation plan and permit are called out specifically in the plan multiple times that those will take precedence over any land management strategies on those particular tracts. There's just a handful of tracks that are part of this plan that are mostly parks that were parks first and then were put into the bcp. So they're co-managed with with the Austin water and the pard staff. And we've worked together on how particular strategies for those tracks we do try to incorporate some strategies that increase the moisture berms and Swales and plant Singh native species and trying to reach, generate oak, juniper forest, juniper, oak forest that takes a really long time and we've been working on that for 20 years and we've done

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that for 20 years and we've done some great work, but it's a small amount of acreage, so we want to partner with pard on looking at all all the strategies out there with the focus of course, also on decreasing our wildfire risk and miss cool could you speak to the Karst and cave situation? >> Dr. Howard in particular and his expertise? >> We do have a car slam management plan already. It's one of the chapters of the balconies canyonlands land management plan, and Dr. Howard was a part of putting that chapter together. And that applies to all of the bcp lands and all of the caves. Some of the bcp caves are on par, parks and that plan will still be in place. And all those measures will apply. >> And mayor, as

the representative to the bcp. Work for a long time, I can absolutely assert that the staff is actively daily managing and overseeing all aspects of the

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overseeing all aspects of the preserve. And it's welfare and is keenly aware of the concerns and working with the community. We've made big strides in increasing the amount of notification for people who purchase properties that are adjacent to the edges of the preserve to make sure that they don't go in and cut things down or claim parts of the preserve as their own personal backyards . It's difficult work sometimes getting the word out, but it persists and will continue long into the future. And I really do appreciate the hard work that the staff's in coordination between the city of Austin and Travis county have affected for 15 years and for another 15 years, if not longer. >> Thank you. Thank you. I'll recognize councilmember Allison alter to close. Thank you, miss Cole. Thank you very much. >> So thank you, councilmember pool and councilmember harper-madison for those questions and interventions. So

[11:42:41 AM]

questions and interventions. So I'm really excited to see us move forward with the adoption of the recommended land management strategies and climate vulnerability analysis for our natural areas. Item 53 this has been the only unresolved recommendation from a 2019 wildfire prevention audit, which called for a land management plan. And so I'm really grateful to see us taking these next steps. They're very important not just for wildfire, but for the climate resilience of our parks and preserves so that we can be making sure that our residents have access to these natural spaces moving forward. I especially want to thank our parks staff for their hard work on this item, especially Leslie Matt McCall, Amanda Ross, John Davis, Christine Cagle. Sonja Shaw. The planning division, the grounds maintenance division, and the park ranger division and obviously our director, miss Mcneely, they worked very closely with our commissions and also with many department stakeholders. Austin water, bcp , Austin fire department,

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, Austin fire department, watershed protection, office of sustainability. Office of resiliency. The equity office, Austin public health as well as with the Travis county fire marshal. All this process took a long time. Covid intervened and but it also took a long time because there were a lot of people involved and trying to get this correct. We know we will continue to face extreme weather and climate crisis impacts that are complex and multifaceted and that the risks we are trying to mitigate are year round, and they often can be very specific to very particular places and lands. These strategies that we have laid out in this analysis are going to help us mitigate those risks in the long term. We know that we have a lot of catching up to do. That was the impetus for the plan in the first place. I think it underscores scored our

efforts during budget to make sure that we had resources to move forward with implementation. Ann we will need to continue to make strategic and equitable investments in these efforts. The motion sheet that I passed out is just

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that I passed out is just slightly modified from what I presented last night on the message board. The first thing it does is it directs the city manager to implement the analysis and to report back to us on a regular basis so we can be watching that and expecting it to be resourced as we move forward in budgets. It also acknowledges the additional recommendations that were made by our environmental commission. So it commits us to and it also commits us to deep collaborations with community groups, neighbors and the experts Luz of the city of Austin and the university of Texas Austin climate collaboration, which is really looking at different ways that we can take that climate analysis and make it specific to different parts of the city. And so together, I think that this plan, this analysis, this process that we've set forward and that the city manager has

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and that the city manager has committed to implement is going to help us be more resilient. It is going to help us make sure that our parks and preserves are there for the future. We have been remiss in our investments and this is a guide to help us moving forward. The motion read also incorporates a small change that council member pool asked for as well. Together I know that we can face this challenge just as we talk about this all the time. With respect to the people in our community and the need for resilience in the face of climate change. We also have to be talking about it for parks and preserves. And so I'm glad that we're taking this step. There's still a lot of work to be done, but I think this gives us the analysis and the confidence that we can go forward and make decisions for individual parks and preserves and balance our resources appropriately. Thank you, members. >> The motion has been made and seconded to adopt item number 53 with the addition being the direction that set forth in version two by council member

[11:46:45 AM]

version two by council member Allison alter. That has been discussed. First, is there any further discussion? Without objection, item number 53 is adopted members without objection, I would. Without objection, I will recess the Austin city council so that we could go into an executive session for a few minutes on item number 99, and I'll make that appropriately. But I just want to let everybody know that's what we're getting ready to do. We have a 12:00 time certain we will be back in here as close to 12:00 as we can get. I anticipate it will be very close to 12:00. But with that objection, the city council

will now go into closed session to take up one item pursuant to section 551071 of the government code. The city council will discuss legal issues related to item number 99, which is approving a resolution directing the city manager to revise and implement certain policies related to training investigations and reporting by the office of police oversight. Provide updates to the public safety committee and creation of a public work group is there

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a public work group is there again, is there any objection to going into executive session on the item announced? Hearing none. The council will now go into executive session. At 1147 . The band wraps up the final

[12:19:53 PM]

The band wraps up the final chorus of the night. And you wrap your arms around her good and tight. But if you want a dance to loudly out the door, kiss her as you dip her gently to the floor. Don't forget to dip a girl like you're diving for a pearl. She's been waiting on that long for you. Try you can't sweep her off the feet. You can make the dance complete . >> Austin city council for this

[12:22:07 PM]

>> Austin city council for this regular meeting of the city council. It is. 12:22 P.M. Members we are out of members in the public. We are out of a closed session. In closed session we discussed legal issues pursuant to section 55107. One of the Texas government code. Relate to item number 99. We will now go to our general public communications. And I will turn to the city clerk to call those who have signed up for our general communications. >> We do not have a remote speaker in the queue just yet. So I will start with Rick Shannon on. Shannon. >> Okay. >> Alicia ball. Good afternoon. >> Thanks for taking the time.

[12:23:12 PM]

>> Thanks for taking the time. My name is Alicia ball and I was sexually harassed and physically assaulted at my former place of work and I was let go for reporting it. I immediately filed with the eeoc in Texas workforce commission, and I contacted over 50 different attorneys offices, and I hit dead ends everywhere I went. The bottom line is this because the way the laws are written, in 1964, 1 in 5 workers

is not protected. And I was one of them . Under title seven of the civil rights act, an employer is defined as an entity with 15 or more employees. Those like myself who work for small businesses with fewer than 15 employees, do not qualify for federal protections. In Texas, the Texas workforce commission is supposed to handle these cases under chapter 21. However the Texas workforce commission refused to review my complaint because Austin, quote, has a work share agreement with the eeoc that supersedes its jurisdiction in the Texas workforce commission refers

[12:24:13 PM]

workforce commission refers those in Austin who experienced workplace sexual harassment to the office of civil rights for assistance. And let me just say , it was one of the most challenging things that I've ever had to do is deal with the office of civil rights. Getting through to them was very difficult. It took a lot of time and a lot of effort. When they finally responded and I thought I might see some justice. Instead, they dropped the ball over and over again. They sent me predetermined action letters, signed and returned to me ahead of fact finding meetings and deadlines. The staff refused to accept certain forms of documentation. They demanded everything needed to be fully transcribed under very short deadlines. I learned a lot of things the hard way. Long story short, they couldn't open a lot of my documents because they didn't have a Google account that was really disturbing to me because we have Google here. I even have a letter where the office of civil rights said in Austin municipal code, that doesn't even exist. With regard to my case, that was wild. I don't think there's going to be justice for me, justice for me.

[12:25:15 PM]

justice for me, justice for me. If served properly, would have been the following consequences for my former employer. If found responsible for sexual harassment. A \$500 fine. That's it. \$500. Is that worth it? I think maybe you can do better for other austinites. I'm here today to tell you this. If you're going to continue with the office of civil rights to support a work share agreement with the with the office of civil rights through the eeoc, please make it the best it possibly can be. What my experience with the office of civil rights has taught me is that it is underfund and its personnel are stretched too thin. They clearly don't have adequate resources or personnel to handle cases like mine or far worse. I ask you to increase funding and support positions for the office of civil rights. I ask you to overhaul the local ordinances to maximize the penalty for workplace sexual harassment. What you can do better than a \$500 fine. You can change the local laws and maybe you can change things so that we can have a wave of change here that could ripple to the larger

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that could ripple to the larger fabric of our state and our nation. I ask you to please protect Austin workers. Please help ensure what happened to me doesn't happen to anyone else in our city. Thank you for being here. >> Thank you. Thanks >> I'm just going to call Rick Shannon again on an our remote speaker is not in the queue. So that would conclude our noon public communication Ann. >> All right. Thank you, members. That would take us to our live music. Without objection. And by the way, we have a 1:00 time certain Ann and what I'll do what I want to do is I'm going to recess. Without objection. We will recess the council meeting for our live music and then Ann if we're able to get back before that, we'll do it. Otherwise we will convene at 1:00. We're recessed until

[12:27:16 PM]

at 1:00. We're recessed until 1:00. Unless called to order earlier. Thank you all. Without objection. Well, good afternoon, everybody.

[12:35:18 PM]

Well, good afternoon, everybody. It's my distinct honor to get to introduce our live music for the day. And that's David shabani. David is a congolese Canadian alternative hip hop artist based right here in Austin, Texas, in an area where the music culture is expansive and rapidly accelerating all the time. His sound keeps pace by blending compellingly personal lyrics. If I could get everybody to, hey, if I could get everybody to take their conversations outside, Mr. Harris, if I could get you all to take them outside, I'd appreciate it. He keeps pace by blending compellingly personal lyrics with high energy back beats that combined to work double time. He's been influenced by kid cudi, kaytranada Lupe fiasco and childish Gambino. Shabani identifies himself with the outsiders of hip hop. His catalog spans more than 50. Original songs include collaborations with Texas rapper

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collaborations with Texas rapper and producer kid Jones and grammy winner Bobby sessions in 2023. Shabani will release new work produced by Cody Acosta and we look forward to hearing that . Has that happened or happened ? Yeah, it's already happened. All right. Well you're like the city council. You just move at a faster pace, right? The independent artist continues to make a name for himself with appearances at festivals like you would expect south by southwest, ESPN and X games. The drop in hot summer nights. And so what music festival? And he has performances at home and abroad supporting artists across the spectrum and including Lang as part of a tribute to his congolese roots. It is my pleasure. As part of today to proclaim, be it known, that whereas the city of Austin, Texas, is blessed with many creative musicians whose talent extends to virtually every musical genre. And. Whereas, our music scene thrives because Austin audiences support good

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Austin audiences support good music produced by legends, our local favorites and newcomers alike. And. Whereas, we are pleased to showcase and support our local artists now, therefore, I Kirk Watson, mayor of the city of the live music capital on behalf of the entire city council, do hereby proclaim September 21st, 2023, as David shabani day in Austin, Texas. Ladies and gentlemen, David shabani. >> Yeah, yeah, yeah, yeah. >> Thank you for having us. My name is David shabani. This is Dan Relaford on the keys. We're going to bless you with just a few songs and it's an honor to be here today. It's my first time in this building, so it's nice that it's here for this particular occasion. Yeah, yeah, yeah, yeah. This world needs me. Yes, this world needs me. But somehow my pops or my mama and daddy didn't. And still I never folded my mind stayed as golden.

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folded my mind stayed as golden. Now cousins I never met trying to draw me cause we winning. But not the Marcus till dearly departed. What'd we gotten so far? Hard to see where it started. As long as it's all blood, then it's all good. All right, y'all. So

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All right, y'all. So oh, this is on. Oh, it is on.

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oh, this is on. Oh, it is on. Oh, this is nice. Feel special for all you beautiful Austin, Texas locals. I will be at empire on September 30th, so feel free to come out and check out the myself with the whole band and look forward to it. Thank you. That's great. Thank you, sir. >> Yes, sir. >> And good luck to you. This is mine, right? Yeah. That's yours. Oh, absolutely. It's your day. Can you catch it? Can you help

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Can you catch it? Can you help me, please. Oh, god. Oh, no. Can you hear me calling? I'm crawling and I'm down on my knees. He's. Oh lord. The sky is falling. Can you get it? Can you help me, please? Can can

you catch it for. Can you catch it to. Can you catch it? Can you help me please. Hey, hey, hey. >> Over the Austin city council meeting. It is 1:00. We have a

[1:00:25 PM]

meeting. It is 1:00. We have a quorum present, and we will go to our 1:00 time. Certain and I'll call up staff members. This is item number 80. Sylnovia holt-rabb, director of the city of Austin's economic development department. >> Thank you, mayor. Today we are here for our second public hearing as prescribed in our chapter 380 guidelines. We will have a public hearing to hear from the public. Considering an ordinance authorize the negotiation and execute portion of an economic development agreement with nxp and the city of Austin. Thank you very much. >> I'll turn to the city clerk, if you'll please. Well, without objection, we'll open the public hearing on item number 88. I'm sorry, item number 80. Let me be clear. It's item number 80. And with the. There's no objection, so we'll open the public hearing and I'll turn to the city clerk.

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and I'll turn to the city clerk. >> At this time. We do not have remote speakers in the queue, so I'll start with in person. We have Ryan shiono with merv Johnson on deck. >> Great. Thank you. >> Hello, I'm Ryan shiono. I'm an engineering manager at one of nxp's Austin wafer fabs and I live in district eight. Last week I spoke remotely in support of chapter 380 funding for an agreement with nxp and the city of Austin. And I'm here today to speak in person, to attest my support here with my wife, who is an ex nxp employee as well. And in the interest of time, I'll limit my remarks to that and go on to the next speaker. Thank you for the time. >> Thank you. >> Merv Johnson with Todd McKay on deck. >> Good afternoon. Mayor Wilson and council members. My name is Marvin Johnson. I'm an employee . For close to nine years right

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. For close to nine years right now. I have been living in Austin for 15 years and I'm currently reside in district five. I'd like to voice my support for chapter 380 agreement with with nxp. And for time's sake, I'm going to keep my remarks for that. Thank you so much. >> Well done. Thank you. >> Todd McKay with Stacy Schmidt on deck. >> Hello, I'm Todd McKay. I live in district ten. I'm here to ask that you support nxp's application. I've lived in Austin for 34 years and I've worked for the company for 32 years. And I can attest that it's a very good company that's very family oriented and it takes care of individuals and families. And please support this application for the sake of time, I yield back. >> Thank you very much, Stacy Schmidt. >> Mayor and council. >> Stacy Schmidt with opportunity. Austin I'm here today in support of this chapter 380 agreement proposal with nxp, this capital investment by nxp

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this capital investment by nxp semiconductors is a long time company. 50 years will provide a region, our region, a once in a lifetime opportunity to strengthen and expand the us semiconductor manufacturing right here in Austin. This company has been an integral part of the city participating in lots of nonprofit organizations. Burns really educating our youth of tomorrow. So I ask and urge your support of this proposal. Thank you. >> We now have remote speakers. We'll move to that. Paula bushido's. >> Good afternoon, mayor and members of the city council. My name is Paula bushido's. I am a native austinite and a constituent in mayor pro tem Ellis's district. I am also the CEO of girl scouts of central Texas, and I'm here to express our support for nxp's live oak project. Nxp has been a multi year supporter of girl scouts

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year supporter of girl scouts helping thousands of girls in central Texas build courage, confidence and character to and for the last four years, nxp has allowed girl scouts of central Texas to use their facilities as a pop up distribution center for girl scout cookies and nxp staff, provides support for the distribution center, helping distribute over 300,000 boxes of cookies each year to girl scouts and volunteers. As these cookie boxes go on to fuel girl scouts leadership experiences in their community service projects, we support nxp's project live oak because of the benefits nxp has already brought the city of Austin and for the potential they bring to Austin with a pathway to chips act funds. The opportunities for growth and advancement are immense, attracting further investment and talent. To Austin. We appreciate nxp's focus on workforce training, a crucial element that strongly resonates with our organization mission of building girls confidence and leadership skills. We also support nxp's commitment to

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support nxp's commitment to increasing the representation of women and underrepresented populations in the workforce as it perfectly aligns with girl scouts core objectives of promoting inclusivity and inspiring girls to pursue rewarding careers in stem fields. Girl scouts look forward to partnering with nxp to close educational gaps for girls in our community and creating the workforce of the future for central Texas. In conclusion, I ask the city council to support nxp's project live oak the benefits it offers our city, both economically and socially, are invaluable on behalf of girl scouts of central Texas, I would like to express our gratitude to the city council for your service and for considering the positive impact this project can have on our community. Thank you . >> Thank you, Michael Floyd. >> My name is Michael Floyd and I'm with central Texas interface . I ask you to delay the vote on the nxp chapter 380 agreement. The public discussion has emphasized that approving such

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emphasized that approving such an agreement would make nxp eligible for a chip grant. It has not been widely noted that chip grants are contingent on the kind of jobs that will be offered. The chip act explicitly says that proposed projects should be, quote, capable of creating spillover benefits that improve regional economic resilience beyond assisting a single company. And incentives will fund jobs, quote, designed to benefit both the applicant and the broader community. Katy the eligibility for chip grants is thus dependent on whether the jobs they fund come with a living wage. Benefits opportunities for career advancement and worker safety provisions. It is not clear that the index proposal meets these criteria. We request that the vote be delayed until its specifically describes how the proposal's implementation will benefit the community at large. With these kinds of jobs, especially since we taxpayers

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especially since we taxpayers will be footing the bill. Thank you, speaker. Jessica Cain . >> Thank you, mayor Watson and city council. My name is Jessica Cain and I serve as the pastor of living word lutheran church in Buda. But many of my congregation members live and pay taxes in Austin. I'm also a leader with central Texas interfaith. I'm also here to urge you to postpone the potential vote on an nxp tax break until all of our questions about the deal have been answered. You owe it to the taxpayers to ensure that this deal would you facilitate but will directly impact their money is in the best interest of the people of Austin. As people of faith, we're deeply committed to just labor practices. We have not yet received any specific answers to our questions about

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answers to our questions about how this deal will provide living wages, worker protections, longevity and career opportunities. These kinds of guarantees are required for our support of any such deal . Additionally, we want employees to come from the local area supporting austinites specifically and Texans more generally. We're not opposed to deals like this as long as they include these parameters as well as concrete steps to enforcement with the company. We've seen too many business subsidies turn sour for the community as promises are broken and no recourse is available. So please postpone your vote until the taxpayers can be assured that this is a deal that benefits Austin, not just nxp. Thank you for your time, fanny akingbala. >> I am fanny akingbala, a member of ebenezer Baptist church and leader with central Texas interfaith. I am requesting that the vote on the ordinance approving the agreement with nxp be delayed. I appeared in city council

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appeared in city council chambers last Thursday. Cti had requested had questions and concerns about proposed living wages. This has since been satisfactorily addressed. However questions remain about the opportunity for career advancement beyond the 40% of workers. Clarification on health benefits and nxp's compliance and implementing patient of the agreement have not yet been fully answered. While we do not like taxpayer subsidies to private cooperative, we are not opposed to these programs. If it is shown that they meet our high community standards and involve robust community engagement, we're not yet convinced this is such an agreement. That is why we are asking for a postponement on today's action. Thank you for listening to us and working with us in good faith to make this agreement the best it can be for all involved. Thank you so much,

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all involved. Thank you so much, mayor Watson and city council. Enrique Sanchez. >> My name is Enrique Sainz. >> I am also a leader with central Texas interfaith. I am speaking today about my concerns with the nxp application. I feel that it is important for us to postpone the application vote to get more clarity around the application option. One of our concerns is that we one of the concerns we raised, but not have not received a firm answer is to the question. When you combine the city of Austin and potential federal chips funding, the company would receive about. \$15,565,332 in taxpayer funds. For creating 53 new jobs. The cost. Of \$293,685 per job that seems like a high cost per job.

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seems like a high cost per job. Can the company increase the number of new jobs promised? Eid we want to make sure that our tax dollars are being used in an effective manner. In addition, we are concerned that the contract specifies a career ladder for at least 40% of the projects. Austin based employees . We believe a majority of jobs created should be career ladder jobs. Thank you for your time, Rodney. >> A hart. Mayor Watson mayor pro tem Alice and members of Austin city council. >> Good afternoon. This is Rodney Eckhardt. I am the chief executive officer for keep Austin beautiful and I'm grateful for the opportunity to testify today in favor of nxp's project live oak keep awesome beautiful mission is to inspire

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beautiful mission is to inspire and educate all austinities to volunteer together, beautify green spaces, clean waterways and reduce waste every day. We firmly believe that nxp's project aligns seamlessly with

our core values and aspirations for a cleaner, greener and more sustainable. Austin since 1974, nxp has been an integral part of our community, making significant contributions to the well-being of our city. There are three primary reasons that we're in support of project live oak. One is in nxp's long standing commitment in nxp has been a valued community partner and collaborator with keep Austin beautiful for over two decades. They played a substantial role in our creation of our ten year strategic plan. Secondly, they're environmental stewardship. Nxp has a well-established track record of responsible corporate citizenship. Their ambitious

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citizenship. Their ambitious goal of achieving carbon neutrality by 2035 underscores that commitment. And lastly, community community engagement in nxp team members have been enthusiastic participants in our community engagement programs. Keep Austin beautiful day clean. Lady bird lake, a group of 30 of their team members are actually volunteering to clean lady bird lake on September 27th. Keep Austin beautiful stands firmly behind nxp, usa inc's chapter 30 application in please vote in favor of project live oak. Together we can make Austin a even more beautiful and prosperous place for all. Thank you for your valuable time and thoughtful consideration. >> Reverend Katy Wright. >> Hi, I'm Katy Wright. >> I'm the priest at saint Matthew's episcopal church in northwest Austin and a leader

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northwest Austin and a leader with central Texas interfaith. I am asking that we delay the vote while nxp has been a long standing member of the Austin community and a valued one, there are unanswered questions about this deal, and insofar haven't time to process the answers given. In particular, the issues around health insurance for workers have not been detailed. So we would like to allow time for the community , the taxpayers, to have their questions answered before before moving forward with the over \$15 million in taxpayer money for the 53 jobs allocated. Thank you for your time and consideration . Eid Clark. I'm Eddie Clark, leader with central Texas interfaith from wallflower church in district nine. We help shape city policy on incentives with high standards the community expects for our tax

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community expects for our tax dollars. We reviewed the proposed nxp request carefully and found the language vague on several points. We posed specific questions in public testimony and email, but have received no direct response from the council. Answers to some of our questions were printed in the q&a, but responses are incomplete or copy paste from a previous questions. Health care is a big expense for our working families. The contract states in will provide in-house health insurance benefits or an equivalent stipend to all full time employees. What's the dollar value of the stipend? Does it cover most

or all of the employees insurance? We don't know. Community input and trust matters. I urge you to postpone a vote until this and all questions cti has posed are answered. Thank you. >> That concludes remote speakers. I'll move back to in person. We've got Mitchell grumble with Darren Lewis on deck. >> Good afternoon council

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>> Good afternoon council members. My name is Mitch gumbo and I live in Mackenzie Kelly's district. Six. I'm a native Austin ite and I've worked for nxp at the two different Austin locations for the past 24 years. I'm hoping that this council will support an nxp's live oak project and the great opportunity that it brings to this city. This will provide a pathway for the chips act funding and continue to set Austin apart as the technology center for me, nxp has had a significant impact on my life growing up with a single mom who worked 2 to 3 jobs and I remember moving around from duplex to duplex. I had a dream that I would one day be able to buy a home. And I'm happy to tell you that working for a great company such as nxp, that allowed me to make that dream a reality. Also an nxp financially supported my personal development as I went back to night school to get my mba. And nxp has helped foster my career development over the years from starting as an engineer and moving through various leadership positions across the

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leadership positions across the two sites here in Austin. I'm confident that your support of nxp's live oak project will continue to provide more. Austin its the opportunity to have meaningful and meaningful career and support their families. Like I've been able to thank you for your time and your service to our community. >> Darren Lewis with Jessica Adams on deck. >> Hello mayor Watson and city council. My name is Darren Lewis . I'm here to show my favorite in support, in favor of this proposal. I've started working with motorola in 2000, and since then I've had many different roles and jobs, and I'm currently the director of our equipment and maintenance organization at one of our factory is here at Ed bluestine . And over the last several years I've had a great opportunity to partner with arma and the Austin regional manufacturing association and particularly with their workforce development program. And you know, we engage with entities like skill and alliance, assisi and other

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alliance, assisi and other support programs that really help develop curriculums and projects and programs to benefit not only just the industries needs, but the community needs. And I want to note that nxp is a founding cornerstone member on the board of arma, and we've been doing this from the beginning because we recognize and embrace the importance of partnering and partnering with our



local community and manufacturing partners here in Austin. Also serve on the board of directors on behalf of nxp with workforce solutions was an amazing organization that really works hard to serve, provide critical services, as you know, for those that need it in the community. And I'm proud to be part of that organization. But I'm also proud that nxp supports me to do so because they value and recognize the importance to help solve these problems, these critical needs in the community to reduce those barriers into the workforce. You know, we talk about affordable daycare, affordable housing, public transportation, and of course, workforce development and upskilling right where this let's hire local, let's hire all

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let's hire local, let's hire all around. That's a slogan I think we can all get behind. And we've been doing it for decades, right? We've been beating the odds when all the other companies in the United States and in the areas have moved overseas. We're still here, right? Semiconductor manufacturing is not easy. It's a challenge. It's a grind. But we do it every day. And it doesn't happen by itself. It's all about the people. It's the people in our community, the culture of the workforce, the culture of the community. Those are key ingredients that keep many fracturing here in the United States and Eid by supporting project live oak. I know we can continue to do so. Thank you. Thank you. >> Jessica Adams with Rudy Garza on deck. >> Thank you, mayor Watson and the city council for the opportunity to speak today. My name is Jessica Adams. I'm a member of district four and I'm a unicorn, meaning that I was born here. I just celebrated my 25 year anniversary with nxp semi conductors. And I'm here to encourage your support of the 380 agreement. My childhood was

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380 agreement. My childhood was spent under the blue skies of shibe park, where I learned to fly a kite and took my first swim. But in 1980, my father, a construction worker, was unable to find employment and we had to move to Houston and sell our house in Hyde park. Houston was good to me, but I still felt most at home when visiting family here in Austin. So I was thrilled to come back and study engineering at UT while at UT, the very manufacturing plant I work at today opened its doors in 1996 to the women engineering program. Through that tour, I was exposed to the wonderful world of manufacturing chips and learned among many things, that we save lives with the chips that we make in nxp has always been a strong partner in the community, and I'm proud to be an nxp engineer who carries on that tradition and now gives tours of our facility to students and adults of all ages partnering with local schools and nonprofits like girl scouts, girls start Austin women in tech

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girls start Austin women in tech today. I'm a training and development manager for where we help people like my father earn a living wage, enhance their skills to grow their career, and ultimately stay in this beautiful place I call home. Please consider supporting the 380 agreement. Thank you for your time. >> Rudy Garza with Patricia Alvarez on deck. >> Good afternoon, mayor and council. >> Thank you for the opportunity to speak today. >> And I'm the chair elect for the greater Austin chamber here to speak in support of the 380 agreement with nxp. I guess what I'd like to mention today is, is to remind us that Austin is not immune to what's happening in the economy based on the Texas workforce commission. Just in the first eight months of this year in Austin, 3200 jobs were eliminated. This is an opportunity now for the city council to take the lead in helping restore some of those. And it's not just about these jobs, but the ones that will grow from this opportunity. Katy

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grow from this opportunity. Katy so I ask you to please consider that it in 3200 may not sign a lot, but if you're one of those 3200, it's a big number. So please consider that. And again, we appreciate your support. Thank you. >> Patricia Alvarez with rj Bingham on deck. >> Hello. My name is Patricia Alvarez. I'm a district five, a resident of the city of Austin. I am here in hopes the city council supports nxp, live oak project and the great opportunity it brings to the city. I have worked at nxp for 26 years and I'd like to say that I've grown up there. I started as an associate rate and immediately saw the potential to build a career. The company has provided me the opportunity to complete my bachelor's degree while working full time with their tuition assistance program. I was able to advance in my career in development there and build a home for my family. These same opportunities are available to anyone that

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are available to anyone that wants to work there. The potential it brings is a way for the chips act money to assert Austin as a technology hub. So thank you for your time and considering action to support nxp's live oak. And I would also like to thank the city council for your service. Thank you. Thank you, rj Bingham with miles Brandon on deck. >> Mayor. Mayor pro tem. Council members. My name is rj Bingham. I'm a resident of district nine and I'm representing I'm speaking today on behalf of the Austin regional manufacturers association, or Amo. Speaking on behalf of Amo, nearly 300 members in support of an nxp semiconductors item 80, the chapter 380 agreement with project live oak and nxp is committed to investing at both its Austin sites, which already employed nearly 3000 residents. Austin residents use this \$291 million investment provides our region with a potential once in a generation opportunity that will help strengthen and expand the us semiconductor

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the us semiconductor manufacturing right here in Austin. Most importantly, nxp has collaborated with the city to create an agreement that meets the needs of the city. The community and company employees and nxp's corporate history in Austin goes back 50 years, and this investment will strengthen our economy, our local economy and provide austinites with opportunities for years to come. I'm a respectfully request your approval of item 80, chapter 380 agreement. Thank you for your time. Thank you. >> Next, we have miles. Brandon. There were two folks who donated their time to mister Brandon, Catherine wicker and jomar Reyes . Could you still acknowledge or could you acknowledge that you're here with us and present ? Just raise your hand. Thank you. >> I promise not to use all of it. >> But mayor Watson and city council members wearing a collar . >> We're going to keep you, too. >> You got it. You got it. You got it. Mayor Watson and city council members. I am the reverend miles Brandon, pastor of saint Julian of Norwich

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of saint Julian of Norwich episcopal church. I'm a city of Austin resident living in district ten, and I am a leader in central Texas interfaith. I also just come directly from a gathering of about 20 of our our our clergy who are meeting to work on our issues today. I'm a city of Austin resident living in district ten, leader in central Texas, interfaith cti supports economic development. We help create one of the preeminent workforce development nonprofits in central Texas capital idea. And we want the creation of good jobs with upward mobility that pay living wages for the people who live and worship among us. And we continue to believe that spending tax dollars direct lightly on things like workforce development, child care for working families, infrastructure, education, community policing and health care, rather than tax breaks for profitable private companies is the best way to spur on economic growth, while also doing the most good for the public at

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most good for the public at large. And this opinion is backed up by many studies that suggest the same. However, we understand that incentives like 380 agreements remain a part of the political landscape, and we are not we are not categorically , categorically opposed to them , including the current contract being considered with nxp. But we do believe they should have exceptionally high standards that assure us that our hard earned tax dollars are doing the very most public good for all of our residents. This is why we fought alongside city leaders for the past 15 years to create policy that requires agreements like the contract with nxp have , again, exceptionally high standards in areas like job creation, career advancement, living wages, benefits, local hiring and worker safety. Though the current contract being considered with nxp very well may eventually achieve those high standards at this point, we believe they remain crucial

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believe they remain crucial questions that must first be answered before Shaw that determination can be made and we outline those questions in writing to council and those questions were submitted to city staff to which we received answers late last night with little time to look at them that were incomplete and unclear and unclear. In fact, some seem to be cut and pasted from the previous answer. There was no clarity around dollar amount of an insurance stipend and what percent of fulfillment of the contract by nxp is required to receive their complete tax credit. More over. We continue to believe that the required payment for career ladder jobs should be much higher than 40. It capital idea. We prepare 100% of our students for upward mobility career path jobs and that the total number of new jobs created should be higher than 53. That's \$300,000 per job when you put together local incentives and federal

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incentives and federal incentives. Thus we simply and strongly urge you to postpone a vote on this contract until all of these questions have been satisfactorily answered. In your mind and in the public's mind, and that it can be fully determined that the most public good will be achieved for the possible. \$15.5 million in federal and local taxpayer dollars that this agreement will cost all of us. Thank you for your time, your service and you remain in my prayers. Next we have Brian Cassidy with asanga weerakoon on deck. >> Good afternoon, mayor. Council members. >> My name is Brian Cassidy. I'm appearing on behalf of the greater Austin economic development corporation, better known as opportunity Austin. I serve on the board of opportunity. Austin on behalf of that group, I'm here to ask you

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that group, I'm here to ask you to support item 80 and the execution of a chapter 380 agreement with nxp. The potential for a capital investment of the magnitude. Nxp is talking about 281 million provides our region with, as you've heard, a once in a generation opportunity that will help strengthen and expand us semiconductor manufacturing right here in Austin. Council's approval of this investment would allow, as you've heard, would allow an nxp to pursue funding from the us chips act. But simply put, without the incentive support contemplated by this item, this project will not be a reality in Austin and that will result in taking the opportunity to keep and expand well-paying jobs and other community benefits off the table. That's an opportunity we should not pass on. An investment like this will help Austin and central Texas continue to thrive as a global technology hub and will help us regain the help the united States regain its leadership in global semiconductor manufacturing while keeping and expanding jobs available to Austin and central Texas. Residents among the commitments that have been made as part of this transaction is that nxp will partner with the city to

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will partner with the city to develop new or improved workforce training for its future employees. You've heard concern and emphasis over the significance of that point, the importance of our region's talent. Pipeline and workforce cannot be overstated. It's the lifeblood of what makes central Texas attractive to companies looking to create opportunity through jobs and capital investment. Nxp is the type of corporate citizen we should all hope to attract and retain and celebrate our business and political ecosystems need companies that build strong relationships within our community, and nxp is a shining example of a contributor that has helped Austin's economy become more diverse, vibrant, resilient and forward looking. We would be remiss if we didn't also acknowledge that nxp has 50 years of being deeply rooted in Austin and has had a rich history of engagement and advocacy in many different communities across central Texas with project live oak and nxp is committed to investing at both of its Austin sites, which already employ nearly 3000. Austin residents. These jobs mean more to our community than just a bottom line. They create opportunity. We encourage you to

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opportunity. We encourage you to support this. Thank you. Thank you. >> Asanga weerakoon with Philip monteillet on deck. Thank you, mayor and the city council for the opportunity to share my support for the chapter 380 agreement with nxp. >> My name is asanga weerakoon and I live in district eight. I lead the global environmental and safety for nxp. I have lived in Austin since 1982 and have been working with what is now nxp for 41 years. I got married in Austin and have four children that all grew up in Austin and went to schools. When I started right out of college, I was part of the new construction team that helped build the nxp facility at oak hill right from the beginning, we incorporated extra environmental and safety features as we built the site in nxp. Our facility was the first wafer fab in the us to become a osha voluntary protection plant site, a status osha gives to companies that have stellar safety records. Our Austin site today continues to be osha, vpp, star site, and nxp has always

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star site, and nxp has always been and is committed to being a company with the highest standards for environmental health and safety. I have personally been involved with nxp's participation in keep Austin beautiful, Austin clean air task force, the Austin marathon's habitat for humanity and various other interesting and locally and impactful community projects. My department has also provided many work opportunities and internships to Austin area students. Thank you to the city council for consideration. Given to support. Chapter 380. >> Philip monteillet with mark Kroger on deck. >> Good afternoon. Good afternoon, mayor and city council. Thank you again for this opportunity. Again Felipe Montoya

from district six. I just wanted to say thank you for this whole process and especially to the city staff for being great partners in this whole process because it's been a great journey being the first hopefully among many. I also hope I know we've talked in the past about our commitment to living wages, our benefits and our workforce development, and I'm hoping to, as well that these testimonies that it's not

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these testimonies that it's not only as a piece of paper that we're committing to, but we have a legacy of doing these and living up to this high standard that we've been doing in our community for a long time. Thank you. Thank you. >> Mark Kroger with bill bunch on deck. >> Good afternoon. >> My name is mark Kroger and I lead us regulatory and government affairs for nxp. I've been at nxp for almost 20 years and I'm a resident of district four for about 30. Last week you heard from a variety of nxp employees, including our two most senior us executives and austinites, Jennifer, Walmart and Chris Jensen. They are here again today. I want to address three questions that have come up in the public commentary regarding project live oak since last week's council session. First, our chapter 380 agreement requires nxp to pay city approved living wages to all our full time employees within the city limits of Austin. What folks might not be aware of is

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folks might not be aware of is that these living wages are in addition to the top notch benefits we offer to all of our full time employees and value at about 50% more per hour than the city's proposed living wage. Approximately 22,000 more per year, in fact. Second, our chapter 380 agreement clearly requires that nxp fulfill its job obligation burns job creation obligations by overwhelmingly hiring local Austin area residents. Finally the essential incentive support nxp is seeking from the city is less than 1% of an nxp's proposed capital investment. We estimate that over the five year agreement that this would be about \$3,800 per employee per year for each new job. The project will create. But this doesn't show the whole picture for nxp's investment in its Austin facilities will update and extend the life of the fabs , where well over 1000 of our

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, where well over 1000 of our manufacturing focused employees work and will create longevity and new opportunities for a whole new generation of austinites. It is a privilege to be able to speak to the council today in support of project live oak. I want to thank the city council and the city staff for their leadership and support. Thank you. Thank you, bill bunch with Garrett Evanson on deck. >> Good afternoon, mayor and council members. >> Bill bunch with save our springs alliance. I really don't have much to add to

what I said last week. Our main concern was if you were subsidizing a new development in the Barton springs watershed, if it's not clearly on the public record, I would ask that you try to make

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would ask that you try to make sure that it is that that this subsidy is attached to improving just the equipment inside the buildings and won't add any new development in the Barton springs watershed. And I'm if I'm understanding it correctly, the same is true on the east side at the Ed facility and also would like to have it confirmed on the record that they will be reduced Singh their water use at these sites. Thank you. Thank you. >> Garrett Evanson with Marcy booker on deck. Good afternoon. >> Mayor Watson city council. All my name is Garrett Evanson. I'm a resident of district eight. I've been in nxp employee for three years since graduating from university of Texas at Austin. I'm here to voice my support for chapter 380 funding of nxp's live oak project. And with that, I'll give the rest of my time to Marcy booker to represent our interests.

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represent our interests. >> Marcy booker. Hello >> I want to start by thanking you for your service to this great city. First of all, my name is Marcy booker and I'm a fifth generation austinite in district eight, along with my colleagues from work. I'm here to support the chapter 380 agreement for the live oak project. Several generation of my family have graduated from Austin high school. I'm a graduate of Westwood and my grandmother built her retirement home in oak hill. My uncle bill is buried in the Texas state cemetery. He served with the Texas water commission and rcc protecting our water and our watershed. It was part of my education growing up through him, so I know how important that is. And so working at a place like motorola now in nxp, since I was 20 years old, men out something to me that they are dedicated to our city and

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are dedicated to our city and our environment here means means a lot to me. When I first started, I was put into research and development and my whole life changed. My education was encouraged and paid for. I was exposed to so many cultures and people and lifestyles. It made me a better person. And I think it made me a better citizen. I've benefited from the engineering review board there to further my career. Thanks in large part to the mentors and leaders that I get to work with . For the past 30 years, I've been involved with volunteer service in my community with meals on wheels, United Way, habitat for humanity, and many Christmas drives for local elementary schools with the encouragement and the support of the company with their partnership as a matter of fact, that's meant the most to me. As we've gone from motorola to freescale to nxp, that the spirit of community has never been lost. We all

know each other. We're all family here. I know everybody that's come up to speak. I've known some of them my whole adult life. And they

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my whole adult life. And they all care about Austin as much as I do in r&d and manufacture Singh. I watched technology that we made try to replicate in other countries and other companies. They failed and please support. Thank you. Thank you. That concludes speakers for item 80. >> Thank you, members. >> Without objection, we'll close the public hearing on item number 80. I'll the chair would entertain a motion with regard to number item number 80 and then we'll have discussion. Councilmember pool moves adoption of item number 80. It's seconded by councilmember Kelly. Is there any discussion? Ann councilmember harper-madison. >> Thank you. Is this the appropriate time to ask some questions? >> It would be, yes. >> So thank you, mayor, and thank you staff, for all your hard work on this agreement. I am pleased that our staff has been able to incorporate the child care component into this proposal since last week. My staff and nxp are economic

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staff and nxp are economic development team. Thank you. Have been able to further refine the child care component to ensure that this expansion not only benefits our city and the employees of nxp, but also the neighbors goods that directly and immediately surround their facilities. I've been told that not only did this organization directly, positively impact nearly 100 aid students with direct funds, but they continue to assist beyond the original contribution. And in addition to that, I just like to add, I think it says something how many people walked up here and said their lives were changed by employment with this organization and how long they've been working with this organization. It indicates something to me. I do have some questions, so it is my understanding that that staff and nxp have been able to agree to what they're calling a

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to what they're calling a citywide child care fund and the d1 office request stated that it be geographically bound surrounding their expansion sites. Oh you already up here would you mind providing some clarity and confirmation there? >> Sylnovia. Holt-rabb director of economic development. Yes it is our understanding that nxp is in agreement to have that citywide child care fund surrounding your plant in d1. That's great. >> I know there's one in d1. I'm not sure who else has one, but I know d1 has one and d8. >> Yes. >> Yeah. I might just say councilmember harper-madison in response to that, that in nxp has reaffirmed I guess what I would say their leadership in the area of child care and have



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the area of child care and have been very amenable to all aspects and requests that we've made. It's been said a couple of times in previous meetings and then it was reiterated today that that since it's been seven years since the city has done an agreement like this, that they are in essence the first. And there's I appreciate you bringing that up because it says they've set an example. >> Would it be appropriate to invite them up to offer some confirmation on that refinement ? >> The question is whether or not in the child care, whether or not you're in agreement that it would focus, part of it would be with Austin public health, part of it will be with you. The gets us to up to 10% of the what was the original base but the part that you would be administering of course the city of Austin can do that and will do that, but that it will be focused out in and around the sites of the facilities. >> We have no objection in. And

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>> We have no objection in. And our supportive of the city distributing the child care funds that are dedicated to for Austin in an equitable way. And we're supportive of the idea that this is also going to support child care around the facilities where we operate. So we don't want to be put in a position of picking winners and losers of the districts. But we strongly support it. Any equitable distribution of child care funds. Thank you. >> Thank you. All right. I was going to go to councilmember Fuentes and then councilmember Kelly, councilmember Fuentes, thank you, colleagues. >> I had submitted a number of questions in the q&a, and I wanted to invite staff to come speak to questions to and six that were included. These are questions that were coming from the central Texas interfaith group. I wanted to make sure that we were able to get some answers on the record. It seems like inadvertently, staff

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like inadvertently, staff included previous responses to those questions. So I wanted to have them come speak to the appropriate and accurate response and so the second question is there is a health insurance provision in the contract that provides in-house benefits or stipend equivalent to full time employees is through the dollar, though the dollar value is not stated. What is the dollar value of the benefit and stipend? Does this cover most all of individual employers insurance? >> I'm going to ask an exp to come give you the specific dollar amount, but per our agreement it is required that health care is provided to full time employees. >> I was hoping I'd be rescued by the H.R. Team, but no, no. So as I noted in my comments, which we attempted to kind of address some of the questions that have come up. So we offer in addition to the living wage, we've

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to the living wage, we've committed to our robust set of benefits to all of our employees, all of our full time employees. And these include health insurance as well, which is the same insurance I myself have. And covers the majority of the cost of the insurance and medical care. Is that enough detail or and there's also on our website, on our public website, our benefits packages are there. Thank you. >> I guess the response that was submitted to from staff that's going to be included in the backup, did it have a specific value dollar amount listed? >> It did not. Not to my knowledge. I mean, no, it did not have a specific dollar amount, but we can get that updated and work with the company to get that updated. >> Yes, I think that would be important to have that information included. >> Thank you. No further questions on my end. >> Thank you. Councilmember councilmember Kelly. >> Yeah. I just want to thank the is your mic on?

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the is your mic on? >> Is it on? >> Can you hear me? I think you can hear me. >> No, I just want to make sure I can hear you. No it didn't sound like it was on. >> I apologize. No problem. I just want to thank the city staff who worked so hard and diligently on this. I know it was no easy lift. And the fact that we haven't done it in seven years really is a testament. Like the mayor said to, to how wonderful this is going to be and how rare it is for the city to do. I also want to thank everyone from nxp who showed up today and members of the community to provide us with additional information and support for this agreement tonight. I'm really excited about the future of nxp in Austin and all the good work that they do, and I want to continue to see that. So just wanted to express my thanks to everyone. Thank you, mayor. >> Thank you. Any further discussion on the item? Yes. Mayor pro tem, please. >> I also wanted to extend my appreciation. >> It's been a while, but I was able to tour the nxp facility in district eight quite, quite a

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district eight quite, quite a while ago. They didn't let me play with any machines, unfortunately, but I had I had a really good experience understanding how how professional they are, how much they care about their work product, how much they want to be a good community player. And I had seen them all around town before I ever worked in public office. And so I just know they've been a good community partner for a long time and I look forward to continued partnerships and I'm glad that this particular proposal is not just about district eight. It's about district one, too, and really hiring our local talent and making sure that we're giving people good opportunities to build a life here. >> Great. Thank you. Mayor pro tem. All right. Without further discussion and without objection on item number 80, the motion has been made and seconded to adopt item number 80. And with that objection, it is approved. Thank you all. And thank you to nxp. Thank you to our professional staff. Thank you for this council for making child

care a priority. And approaching it as a priority. But good luck in nxp. We value you in our community. Thank you

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you in our community. Thank you . Members. What I thought I would do to try to keep us on schedule or close to on schedule is go to item number 82 members. Item number 81 is listed as a public hearing, but it needs to follow zoning cases 83 and 84. So what I thought I would do is go to item number 82 and then 104, and then we would go to zoning and we'll come back to the items that were pulled so that we maintain close to our time certain. So item chair calls up item number 82. If I could ask everybody to please take your conversations outside celebrations, whatever it is we would appreciate it. Thank you very much. Item number 82. Without objection, I'll open the public hearing on item number 82. And I will. Good afternoon, mayor. Council

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mayor. Council >> I'm mark Walters with the planning department. Wright give you a very brief overview of the proposed code amendment. It is basically to remove the prohibition of illuminated signs in the university neighborhood. Overlay in 2020 19. In November , council passed a significant change to the university neighborhood overlay. Amongst those changes were signs this prohibition was supposed to be removed at that time, but due to an oversight, it wasn't. And it's also affects the north burnet gateway regulating plan as well as all the red line regulating plans because they point back to the sign regulation as that's in my presentation, if you have any questions, I'd be happy to answer them. Council members, do you have any questions of staff? >> Thank you. Without objection, we open the public hearing on item number 82 and I'll turn to the city clerk if see if there's anyone that has signed up to speak. >> Yes, we have. Jessica Cohen, who signed up to speak on 82.

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who signed up to speak on 82. >> Great welcome. Good afternoon, Mr. Mayor. >> Council. My name is Jessica Cohen. I'm the chair of the board of adjustment, not speaking in my official capacity , but obviously that's why I'm here. Please take this off our plate. We've had eight sign cases this past year on Guadalupe, right across from the university on the drag, where we've had to say, oh, you can't put lights on it, so please just get it done. And I'll be really, really happy. Thank you so much. Very much in favor since you've said please. >> That concludes our speakers on 82. >> Very effective speaking. >> There too is there any objection to closing the public hearing? Without objection, the public hearing on item number 82 is closed. Closed. The chair will entertain a motion on item number 82. Councilmember pool

seconded by councilmember Ryan alter move approval of item number 82. Discussion hearing none. Without objection. Item

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none. Without objection. Item number 82 is adopted and yeah, there you go, please and thank you, man. That's great. Members the chair calls up item number 104 for and without objection, we will open the public hearing on item 104. Is there a staff presentation on item 104? All right. I'll turn to the city clerk and ask if there's anyone signed up to speak on item number 104, we have bill bunch on item 104. Okay. How about some missed testimony you've done in a while? Thank you for being here. You know, I'm teasing you. >> That is. That's all speakers 104 members, the public hearing on item number 104. >> Is there a motion on item number 104? Councilmember Ryan

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number 104? Councilmember Ryan alter moves approval. It is seconded by councilmember harper-madison. Is there any discussion on item number 104? Hearing none, without objection. Item number 104 is approved, moved. Well, we move quicker now intended on those. Well, members , let's go to item number 55 chair lays out item number 55 members. You'll recall this is the one related to notice requirements and establishing a hearing. Let me ask if staff has anything they want to add before we have a discussion on it. All right. Councilmember Allison alter pulled the item so I'll recognize councilmember Allison alter. Thank you. >> I wanted to get some greater clarity on this item and what's proposed, so I have some questions. I think for staff. All right. I'm not sure who can

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All right. I'm not sure who can . Thank you, miss link. So we got exhibit a on, I think Tuesday. It doesn't specify the timing of the joint hearing. Do you have an intention for when that hearing might be? You you said it would be this year, but we are aiming for this year. >> But we are working with the clerk's office and the liaison for the planning commission to set up the date. >> Okay. And exhibit a doesn't specify the timing between the joint hearing planning commission and council hearings . What is the intention in that regard? >> It depends when we're able to set the joint public hearing and when the next planning commission would meeting would be and when the next council. >> So it's all kind of driven by the first date in the series. >> So I've heard some concern about those being too close together. >> I have not. Are you asking if I have? I'm sorry. No I'm saying

[1:55:40 PM]

I have? I'm sorry. No I'm saying I have heard concerns about those being too close together. >> And there's nothing in this that Wright that states how close together those are. And so I just wanted to understand better what the intention was and what the goal is going to be in that. >> What I would suggest and it's just my suggestion is that and I've heard the same concern, that they will be set to close together once set and I think what we just need to do is we make make sure that as we set these if this passes, it is a clear statement from this council of its intention to make sure that there's appropriate notice and appropriate opportunity for people to be heard on these items, having them too close together, having a joint meeting and then planning commission and then city council meeting, too close together. I agree. Runs afoul of that statement of intention. So as we're going as staff is going forward and as tempting to set

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forward and as tempting to set these, I believe that if this passes, it will be a statement that we do not want those set so closely together for that they they violate what it is we're attempting to achieve. And that's what you were after, right, councilmember? >> Yeah, I'm just trying to understand when we get questions on that or assumptions about that, how to respond to that without there's just there's no detail in exhibit a? >> Well, we I think the goal was to get it passed and then we would work with the various entities to get it set. >> So it's just not set yet. If we decide Eid when they're when they're set out that they're inappropriately set, we can reset those or we can we can bring it back and do that. So it's just it's just a question of timing. And not every T can be crossed and every I dotted before we give the direction on where to go. >> Do we vote on it again to set those hearings? No

[1:57:43 PM]

those hearings? No >> The based on the ordinance, once council council authorizes it, you're then directing the manager and the clerk to work to get those dates and they will set the dates and come back to, well, we can always communicate with mayor and council once we figure out what those dates look like and if there is an objection on, then, you know, council can give us direction otherwise. Okay >> Rey just sometimes we have to set the public. I mean, most of the time, once a public hearing, we have to set the public hearing by another vote for a particular date. So I'm just not familiar with the process where we're setting a public hearing with no date. I mean, we're changing the rules, but we're also not setting a date. >> We understand the challenge for us, and I'll let the acm speak as well, but we are coordinating two bodies that are with significant number of members. So we want to try to, one, get the okay from this body to do this and then Ed get those

[1:58:44 PM]

to do this and then Ed get those pieces in place. And so I think it's just a matter of coordinating it and keeping on schedule once we figure out what that date is and Tricia, I actually have the same question .

>> Why wouldn't city council set the public hearing on a on another council agenda and then have the public hearing at a following meeting council could do that if that's if that's the will of the body, if there's any objection. >> Again, if we want to make if we're going to screw something up, let's screw it up by going out of our way to get as much opportunity for notice and credibility in this process as can be built in the process. Yes. Councilmember Allison alter has raised an issue that the public is raising. Let's get a look at it to make sure that we don't look at it and say that is too little time between these meetings and it just it will add to what we do. But it will add to hopefully to the credibility Katy we hear you council and we

[1:59:46 PM]

Katy we hear you council and we will do that. >> Thank you. And then I'm not I'm not done yet. Sorry okay. So item 55 was posted on September 8th, but exhibit a was not posted until September 19th. Can you tell me what accounts for that delay? I know that happens on a lot of things, but here the whole point I mean, it says in the item that the goal is to give people the opportunity to comment on the notice and then we don't have the exhibit until a day or two before. So I just want to understand why we were delayed in that we placed the item on the agenda and we needed to work through, as with staff, on what that recommendation would look like. >> Okay, thank you. >> And on Tuesday, we briefly discussed that this notice is contemplated to cover only a few of the items that the majority of council has initiated by way of land development code amendments. So, for instance, the change to lot size would interact dramatically with the three unit lot item, but the lot size changes are not being contemplated to be taken up with

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contemplated to be taken up with this notice. Can you speak to why there is that split and what staff's intention is with respect to the lot size change moving forward? >> So the lot size we've looked at is doing part of phase two because there are more elements associated when we change the lot size and the table that we have in city code, you know, it has all of the layers of the lot , size, impervious cover, all of those elements. And so what we're proposing to bring forward first is the three units by Wright, and that would be based on the existing lot sizes today that we have in the code. And then as part of that as well is to create the parameters for a three unit use. And with those that would still be based right now on what current code has for our lot sizes. And so they would have site development regulations specific to that. And then if council chooses to approve those at that time, then

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approve those at that time, then we would come back with for phase two, two and bring forward the more specific look like universal lot size changes that are contemplated by the resolution along with the necessary impervious cover and or or building coverage or whatever we need to do to make that work. >> So staff is planning to come with the second part, which interacts a lot with that as as contemplated in the direction that was given by the majority of council at that time. >> Yes. So we would be bringing that. Second, though not until the council votes on the way we're proposing it is for the council to vote on the dwelling, the changing the max number of dwelling units. So three units by right creating the use. And then if council passes that, then we would come back with phase two that would address it on a more it's a it's a broader scale change. If we go to change the lot size throughout out all

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the lot size throughout out all of our sf Zones. >> But that's more of a of a procedural how do we do it than a staff saying that we're not that you're not recommending it apologize. >> I'm not sure I understand the question. >> So I guess I'm concerned about the noticing for increasing the units on the lot and knowing that we're planning to change the lot size or that the majority of council has given direction to do that. And but you're not really noticing people for what's really going to happen because it's coming later and understand it has to come later. I'm trying to understand is it coming later simply because you have to work through the legal ease or is there is an opportunity for our staff to be saying that they that they're going to be modifying that from what council directed. >> So the timing that we need the approach we're taking right now is, is to have those two phases. We need the second

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phases. We need the second phase. We have the second phase after we later once, because it will take longer to make those changes because they are more universal. They're broader changes. And so it's if but if we got if we come to a place where we come with the three units by right and the three unit use and the council doesn't want us to proceed any further, the council can make that direction at that time and then if that if that was to happen to hypothetically, then everything would be based off of what our lot size is today and our impervious cover requirements today. >> So as much as I would prefer that the majority of council's already said they wanted the other and again, I'm just going to say to my colleagues that there's something off to me in noticing and sort of owning noticing for a piece of that. I also wanted to clarify. I when you say the land use piece of that, there's also the tiny home

[2:04:52 PM]

that, there's also the tiny home item is that captured somehow in that like because we're using a lot of different terms here and I'm not sure where the use piece came into our discussion exactly . >> So the three unit use piece could potentially include the tiny home or an rv, but council would also need to make the rv and tiny home changes so they could they're not not. The three unit use we're looking at right now in terms of what we would be working towards is how do we put it on, how do we what are the setbacks, what are the height limitations, anything like that that are specific to that use and if that use includes authorizes someone to put an rv or a tiny home on the property, then that would be incorporated into that. So I'm not sure. Sure. I'm not sure. I'm I know

[2:05:53 PM]

Sure. I'm not sure. I'm I know I'm not answering your question. I just I'm not sure I understand it. >> Like if I've been on the dais and dealing with these issues for years and I don't understand what we're noticing for or how that notice impacts from what is in here, I'm concerned about if we are actually going to be noticing people appropriately for them to understand the potential impacts of these changes for their homes and colleagues have said that we're including tiny homes in this, and I'm not understanding how this notice tells people that the work that was in that item is reflected in this notice. >> I understand. So the notice that we send out and that what gets posted on the city's website will describe the ordinances that we want council to contemplate at that time. So so it will be the description of the three units by Wright. We have also in here the occupancy limits. So we will describe by what council will be considering and what and really the subject matter of the joint hearing. And

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matter of the joint hearing. And then what planning commission would be making recommendations on and what council would be voting on. So we would describe that as we do with other code amendments, but is it just going to say creating a new land use specific to three dwelling units? >> That's not going to tell anybody who's reading it whether it allows for tiny homes and rvs where they couldn't have it. I mean, I just like if we're trying to make this easy for people to understand, I just don't know how much it's changing. And I'm trying to understand that if we incorporate tiny homes and rvs into the use or anywhere into the amendments that we're contemplating right now, we will include that specific language in the notice. Okay. But you need to do that. You need to do that part about the use to make the three homes, the three units on a residential lot happen anyway. >> Yes, we do need to have the use because if you give it by right, then we don't have parameter for that. >> I will add to that one thing that we've also been talking about is other ways of communication. So we will we

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communication. So we will we will use social media. We will use our website, we'll make sure that we're communicating and communicating in an easy and easy to understand language. Okay. >> And then will the website discuss the larger set of amendments as I understand it, the notice is going to send people to some website. >> I'm sure that we can incorporate that we can incorporate that. >> Okay. >> And then there's a court case that's ongoing that we're going to hear about next week. That's one of the key issues is notice what is our plan on depending on that ruling to modify this, this action that you would be setting today, the decision you make today is independent of anything else that's happening at the courthouse right now. >> This is to set what is an option available to the city in the in state law is to set this joint public hearing and to establish the notice. I will say the notice that we've provided,

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the notice that we've provided, that we've described in the ordinance S exceeds is what we were required to do under state law. If we follow just a standard format, whether it's individual or published, we I've talked about noticing utility account holders which state law does not require us to do. We're going beyond the 200ft which state law requires us. Additionally, we are going to be posting on our website at the social media sites which state law doesn't yet recognize as a way to necessarily give folks notice. But we will be doing that as well. >> Thank you and I appreciate that. The intention is to do more notice. But you know, having been through many of these waves, that not everyone here has been on here, I want to anticipate some of these things that are going to come up and raise them so that that we can address them. I also have a question. I don't know if director Middleton Pratt is here or not. If there's. Thank you. So this is not this is related

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So this is not this is related to 55. I have a number of neighborhoods that in my district who have been wanting to have a joint meeting with planning staff so that they can better understand the amendments . Will you commit to working with me and my office to ensure someone from planning can have a meeting with the group of neighborhoods to explain the amendments? Yes, ma'am. That are underway? Yes. Great. Thank you. My sense is that. Thank you. Okay. Thank you. My sense is that this is. This item is going to move forward and I understand the intention. I'm going to be abstaining on this item. That we have before us. I appreciate the intentions behind the item and improving our ability to provide notice and public input, but I am disappointed that the actual details found in the exhibit were not distributed until Tuesday, giving not only me but also members of the public. Less than 48 hours to actually review the specifics and because

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the specifics and because there's such a limited time for that to be reviewed on something that we know has considerable public interest, I'm going to abstain on this item today. >> Councilmember pool and councilmember Kelly. I just wanted to say that every resident in the city deserves to be notified of changes that will affect them. >> Their property and their community. And it's the city of Austin's responsibility to activate and invite more public opportunity for public input opportunities. In our response to this housing emergency, I've spoken significantly and extensively about certainly my intent sessions with the re-engagement on changes to the land development code, having extensive public input opportunities, including for the first time ever, a joint meeting of this council deus with the

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of this council deus with the appointees of the planning commission is a significant event that I hope you all will take advantage of participating in that come and give us your your thoughts. That's what that meeting will be for and there will be the standard public hearing in front of the public, the planning commission, which would have happened anyway. And we will, of course, have a public hearing. And at the council, when we take up the changes from staff later this year. So we're increasing to two public hearing opportunities, mayor, by a third. It's a 50% increase. And again, it's unprecedented, but the issues require unprecedented action. From this dais. I do think we were we are all united in wanting to have that conversation with the community . I've been talking about that myself for quite a while now, including long before the pandemic interrupted all of our

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pandemic interrupted all of our conversations. It's important for the community to be heard and I support the efforts that staff have brought to try to find the dates that work. It's not easy finding a mutually agreeable date for the 11 of us here, much less the 30 seen additional appointees on the planning commission. So it's a it's a heavy burden to find that date. But I feel certain that that will happen and that we will proceed. And I just invite everyone to take advantage of the open door for this conversation that we have initiated. And this isn't the last part of the conversation. We will continue to roll out opportunity parties for input because this stuff really matters. And you're your voices really matter. Thank you, mayor. Thank you, councilmember Kelly. >> And then what? We're going to do is go to the speakers and I'll take a motion and then we'll go to the speakers.

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we'll go to the speakers. Councilmember Kelly, thank you, miss link last well, Tuesday, I asked how much the estimate was for the notification and I was just wondering if you knew that or if you know when you might know what that is and when we might know as council, because I think that's an important piece of information. >> Ann and unfortunately, ever since I opened up my big mouth and asked that question, now I've got people in the community asking me, so, so I understand actually the acm can answer that question. >> Thank you. >> We do have an estimate. So the way we derive this estimate, we looked at how many notices were sent through the interlocal. There was 28,000 notices sent for that. There were \$0.53 a notice. We estimate there's about 600,000 notices that will need to be distributed to households and utility account holders. We are working with ctm to call that number down or to make sure that that's the correct number based on the that information. A very rough estimate is \$320,000 for a citywide notice. We are working

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citywide notice. We are working with dsd and their contractor on the notification process. And identifying the funds and the general fund to pay. >> Thank you very much for answering that. And that is just for the mailed notices. That's not for the additional notice that you said you would do or outreach via social media or the newspaper. >> Notice that is the additional mail notice the outreach that we're doing through our communications teams. I don't I don't anticipate and I'm looking to the directors and the audience to make sure I don't misspeak, but I don't anticipate a large additional cost because this is our normal operations to communicate through. >> Thank you very much for clarifying that. I appreciate the speedy response. >> Thank you, councilmember. I'll turn to the city. Well, actually, do we have a motion with regard to item 55 councilmember pool moves to adopt item 55. It's seconded by the mayor pro tem. Madam clerk, if you'll call those who have signed up to speak on this item, we have Monica Guzman on an

[2:16:07 PM]

, we have Monica Guzman on an item 55. >> Good afternoon, mayor and council. I'm Monica Guzman, policy director. Garza go, Austin. Vamos. Austin thank you. Councilmember Allison alter for the questions you raised during the work session on this item. Thank you. And mayor Watson for your remarks about meetings being scheduled to close together. Council your vote today starts at process for a citywide zoning changes. It is clear your intent to push through two major citywide zoning changes as quickly as possible in order to ensure a credible process and an adherence to judge walker's 2020 ruling. This item requires a supermajority vote for approval. While it's good to see the city is doing better than the state law notice requirements by also mailing notification to Austin energy account holders, there are still many who will not receive notification or will receive notification in a language other than their own. While cost is always a consideration in order to ensure citywide individual notification

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citywide individual notification as posted by councilmember pool , notification needs to be mailed to every address in English and Spanish, as well as an additional page, briefly explaining what was sent and how to request it in Vietnamese, Korean, arabic, etcetera, as was done for codenext. Also, instead of requiring a request ahead of time interpretation Ann needs to be available in at least Spanish and asl for the public hearing and subsequent meetings. Online notification and updates in any language will never be accessible to roughly 10% of Austin's community. Lacking digital literacy or access, the closing on a personal note and as a sexual assault survivor. Thank you. Council member Allison author mayor Watson and other council members for speaking out against the speaker this morning who shall remain nameless. Thank you. >> We have two in-person speakers, Betsy Greenberg with

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speakers, Betsy Greenberg with an dangler on deck. Betsy Greenberg. An dangler and dinkler. >> The that is all of our speakers on item 55. Thank you very much, members. Those are all the speakers on item number 55. The motion has been made and seconded to approve. Item number 55. Is there any further discussion on. Without objection , item number 55 is approved with council member Allison alter being shown abstaining from the vote. I'm sorry. I'm sorry. What people missing? Oh. Huh >> I'm sorry. >> Yes, thank you for pointing out. I didn't. I didn't I didn't connect with what you were telling me. I apologize. Item number 55 is adopted with councilmember Allison alter being shown abstaining from the vote, and councilmember Kelly

[2:19:11 PM]

vote, and councilmember Kelly off the dais members. That will take us to our 2:00 time. Certain which are our zoning items as. I know you may. >> Yes mayor and council. I'm Joey harden with the planning department. Your zoning agenda begins with item number 80 3c1 for r81033. Rca that's the Brodie oaks restrictive covenant amendment. This item is being offered for consent. The related rezoning is item 84 c81 for 2021 0099. That's Brodie oaks redevelopment ped this item is being offered for consent third reading and then there's a number item number 81 under public hearings, which is the sos amendment. And these are all related items. And again, that

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related items. And again, that item is being offered for consent. Third, reading and let me just say, the council discussed these items on first reading and approved the amendments by former council member

kitchen. These items were then offered for discussion at second reading and the council adopted the amendments outlined in council member Ryan alter's motion. Shea eight. Those amendments have been incorporated into the ordinance . Most of those amendments were related to parks, but we have staff here from applicable departments to answer any questions. The applicant is also here if there's questions. But we are ready for third reading and that's the final reading. We do have speakers, but again, we're offering this item for consent. Well, consent. Third, reading and consent and again, we've discussed these items previously, so that's Brodie oaks. Moving on to 85, 20, 21 00250.01 greystar to 90. This item is being offered for consent. Second, third. The related rezoning is item 86 c1 for 2022 0160. This item is

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for 2022 0160. This item is being offered for consent. Second and third and the related rca is item 87 c14852880 .79 rca. I do believe we may have an oppositional speaker as it relates to the rca this rca was created prior to sos and this will bring the development up to the standards current code except for impervious cover item 88 is npa 2022 0005.02. This items being offered for consent second and third readings. The related rezoning is item 80 9c1 for 2022 0114. This item came before you. Oh. This item is being offered for consent. Second and third readings. This item came before you on your August 31st council meeting. You approved the staff's recommendation of sf three on first reading. There is a valid petition. Non-votes are required. This rezoning downs owns the property so it would

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owns the property so it would trigger compatibility on the adjacent property owner and the petitioner is here to speak to this rezoning request item 90 is NPR 2022 0008.01. This is east 12th street case. This item has been gone for consent. Second and third readings. The related rezone Singh is item 90 1c1 for 2022 0150. This item is being offered for a consent. Second and third readings. I think the clerk just passed out information that the neighbor could ask for you to review. I will. First reading to the record the motion sheet which the applicant is proposing to do. The motion should reads, add the following condition to part two. Number three development of the property may not exceed an impervious cover of 90. Number four for the maximum height of the building or structure on the property shall not exceed 80ft. Again in these amendments or

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Again in these amendments or this amendment are proposed is proposed by the applicant and would be added to the conditional overlay in the zoning ordinance and staff is in agreement to these. I also want to state I just mentioned that the clerk passed out information from the neighborhood, but I also want

to state that the neighborhood submitted a petition that is not valid. We have not received a corporate authorization form. The corporate authorization form provides a signer of the petition, an authority to sign on behalf of the organization. So I just want to say in your packet there is a sheet that says that there is a signer that is an officer with the city is requesting that a officer can sign on behalf of the organization. We request that for every petition if there is an organization. So this isn't any different. But you have the information in front of you so you can make your decision based on that information. The neighborhood again, may be requesting a postponement to get

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requesting a postponement to get authorization form, but I'll let them speak to that. But just to note that council did postpone the at the neighborhood's request at the July 20th meeting on August 31st. This item was discussed and the council supported the applicant's request. And again, staff is offering this as consent. Second, and third. But of course that's up to your discretion. And there are speakers to this item. So now item 92 is 2023 0018.04. This item is being offered for consent. Second and third readings. Item 93 is C one for 2023 0029. That's the related rezoning case. And this again, this item is being offered for consent. Second and third reading. And then we moved to your addendum and that's item 100 and 5c1 for 2022 0140. This is brentwood multifamily and this will be a discussion item. And this concludes the reading of the zoning agenda. And these

[2:25:18 PM]

of the zoning agenda. And these items move forward again at your discretion. Thank you. >> Can I ask a quick question for clarification before I seek? Of course, on items 88 and 89. I had previous notes that indicated that those were going to be pulled, but you're indicating that 88 and 89 are being offered on consent on second and third reading, correct? We do nine votes, valid petition, and the petitioner is here to speak. But it's yes, but it's being offered on consent. Okay. Thank you. Member was the consent agenda for that. I'll ask that miss harden verifies I lay it out the motion that the chair will entertain will be a motion to item number 83 will be on consent. Item number 84 will be consent on all three readings. Item number 81 will be on all three readings on third reading. I'm sorry, item number

[2:26:19 PM]

reading. I'm sorry, item number 85 consent on second and third reading item 86 consent on second and third reading item number 87, the rca to item 86 is on consent. Item 88 consent. Second and third readings. Item 89 on consent on second and third reading with a valid petition on item number 90, consent on second and third reading item 91 consent second and third reading item number 92. All three readings. Item number three, second and third reading. And then as I understand what you said,

item 105 is being pulled. Yes. For discussion. Huh? >> I would just say Shea 92 was consent second, third. And I think you said before the rca, not the rca, the sos amendment and the redevelopment are consent. Third reading. >> Let's get clarification. An item 81 is on third reading. Yes item. Item which one were you

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item. Item which one were you correcting me on? >> 84 is consent third reading. And then 92 is consent. Second and third are. Okay members. >> That will be the motion that I will entertain. We have speakers, but the motion is made by councilmember pool to approve the consent agenda. It's second by councilmember harper-madison . I'll now without objection, we will open any public hearing that needs to be opened with regard to the items listed on the consent agenda. And I'll turn to the city clerk to call the names of people to speak on the consent agenda. Please identify yourself when you come to the podium and identify the item on which you are testifying . >> We have one remote speaker Zenobia Joseph on items 90 and 93. >> Thank you, mayor. Council.

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>> Thank you, mayor. Council. I'm Zenobia Joseph. My comments are specific only related to item 90. The rosewood project. It specifies 10% of proposed 80 to 110 multi family units at 60. Median family income under vmu unquote. >> On page six of the staff report. I'm not sure why you have such an aversion to black people, but I just want to call to your attention that African-Americans earn approximate. \$42,422. That's according to your city of Boston economic development department. Equitable chamber funding model November 20th, 20. I want you to recognize that when we set 60% area median income, it is exclusionary zoning. You are excluding African American. And once again, the July 25th, 2023 audit findings specified that departments do not use the data to improve processes that was under Allison altered finance committee. The auditor was

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committee. The auditor was Francis Riley. I want you to recognize that you have a safe, safe, safe, smart, smart policy, safe, mixed income, accessible, reasonably priced, transit oriented policy, which has not been updated since June 20, 2008. It was, yes, it was amended for developers, but not as relates to the income levels . And I would just call your attention to title six and different impacts are specified that it refers to a facially neutral policy or practice that disproportionately affects members of a group by race, color or national origin. Where there is a recipients or receiving financing. Then if it's from the federal government. So it is frustrating. But I do want you to recognize that 60% area median income is exclusionary. I would ask you to consider 50, which is for 40,900, according to the 2023 income levels

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to the 2023 income levels produced by hud. Specifically the community development block grant chart.  
>> Thank you. Speaker >> If you have any questions, I'll gladly answer them at this time. >> We will. Now move to in-person speakers. We've got Jean Wilkins on items 81, 83 and 84 with George coffer on deck.  
>> My name is Jean Wilkins and I live in the Barton view neighborhood, which is about a mile south of the development. And I oppose the Brodie pod as planned. The traffic mitigation plans relies heavily on the 803 rapid bus route. The site itself is very pedestrian friendly and it looks like it's going to be good. If you're right there. But transportation improves its do not address existing mobility and connectivity options around

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and connectivity options around the site. They are considered below average and unsafe for pedestrians. It is unsafe to walk or bike to the site. This statement is from the third reading summary sheet and the plan improvements only serve if you are adjacent to the site, not if you're in close neighborhoods like where I live pretty much most of south Austin . So this is the actual drilling log for the build over airmen's cave. The. 275 foot buildings in the 80 foot below ground parking garages and retention ponds are above airmen's cave. The drill log shows it becomes highly fractured at 80ft at the actual drill and log that's represented in your backup documentation that you will be voting on for the ordinance today is actually not accurate. I don't know if anybody's done their homework on this. I know alter is very aware of it. I've presented this

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of it. I've presented this documentation. There are too many unresolved issues for this pod to responsibly pass. There is a restricted covenant for the conditions of the very generous transportation impact analysis stating that if it does not prove to be accurate in the calculation of increased traffic generated, a site plan will not be issued. There is acknowledgment that more analysis and modeling needs to be done. I don't know how anybody can deny the fact that this is going to increase greatly the amount of traffic that's already at a very congested area. Thank you. George Cofer with Greg Anderson on deck. >> George speaking on 81, 83 884. Good afternoon. >> Thank you for this opportunity to be here. I'm George Cofer, lifelong resident of Travis county. I'm here on behalf of myself and no

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behalf of myself and no organization or group support bought the plan unit development and urge you to vote yes on third reading in my opinion and with very due respect to the point you just heard, I'll say it very simplistically about 25 years ago, I gave myself a talking to and said, if we're going to build a great city, let's build a great city in my opinion, this proposed development will help us get the kind of projects on the ground that we need to facilitate housing parks and trails, safe transportation in south Austin. And we just don't have it right now. I think we need it. I grew up about a mile from here. Secondly and I'll conclude again, my opinion, having lived here all my life, I know the developers, I know them well. I

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developers, I know them well. I shop at one of their retail centers on bc road and they still own it and manage it. And I think that speaks well of the company. I know their attorneys, I know their transportation planners. That's one of the best they have put together, one of the best teams I've seen. I think they'll do this right. Thank you for this opportunity, Greg Anderson. >> Items 81, 83, 84 with Ingrid Morton on deck. Ingrid Morton on items 81, 83, 84 with Andre Krone on deck. >> Hi, good afternoon. Council not mayor. My name is Ingrid Morton and I'm an officer of the Barton view neighborhood association. And I think once again. Once again, the council

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again. Once again, the council seems to be putting the cart before the horse on this proposed development at the idea that a significant number of folks are going to take the bus is ludicrous. Austin still has no viable mass transit and won't for years. There is no way for a pedestrian from my neighborhood to get to the property either. Westbound Ben white or traveling 360. The electrical requirements that is going to take for this project that have not been firmed up and it's still unclear whether such a large project can even be supported by the cave that is directly below it all. The developer seems to have in place are requests for variances, not actual plans. Just pass this and everything will be okay. They say. Well, we've all heard that before and it never turns out well. I urge you not to approve this project

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you not to approve this project in its present form. Thank you for listening. Andre. Crony on items 8183 and 84 with bill bunch on deck. >> Bill bunch items 81, 83, 84. >> Good afternoon. Council bill bunch with save our springs alliance and we continue to oppose this pud because for three basic reasons it does not come even close to complying with the imagine Austin comprehensive plan. That plan shows a growth node in environmentally sensitive areas at this location, but it's very clear in the plan that that's a mid-rise development. And what we have here is a much higher

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we have here is a much higher density, tall building developed in a form of satellite downtown town buildings, over 200ft. That violates the plan. And we also know that skyscraper owners are neither affordable nor climate friendly. The additional concrete and steel that it takes to go up that high generates and requires enormous amounts of carbon to produce that enhanced steel and increase concrete levels. We do have a climate emergency. We should be thinking about this as relatively new science, but we need to incorporate it into our planning and if we care about the climate, we'll be in pushing folks to do more mid-rise development. Finally, we recognize that this project will reduce impervious cover from current conditions and it will add some water quality treatment . But it's still going to be way higher than the impervious cover

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higher than the impervious cover limits of 15. And we're not getting any offsite mitigation land, which we've been asking for from the very beginning. They could do that with a rounding error to what they're going to make off this project. So to be clear, for the current on the ground square footage at Brodie oaks is about 360,000ft !S where you have in front of you an increase that almost tenfold to over three point 2,000,000ft !S. We're all in favor of a substantial increase in density, but that's just too much for this location. Thank you, Steven manfrini on items 85, 86, 87 with Sarah sauerbrey on deck. >> Good afternoon. My name is Steven manfrini. >> I live at 8615 thunderbird road. >> I reside right right beside

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>> I reside right right beside the proposed development along with my wife, a retired career and tech teacher and our cat and dog cowboy and rascal. I'm also the city contact for a little organization we've developed called thunderbird 290. We at thunderbird 290 stand to oppose this development and you might ask why? Well all I can tell you about all the creatures that would that this 4939 acre development would displace at the skunks, the armadillos, the deers, the foxes, the possums, the raccoons, the porcupines, rattlesnakes, coral snakes, bull snakes. Rat snakes. Falcons. Hawks. Horned owls. Screech owls. Western spiny lizard and striped lizard. I have seen all of these on or around these properties and also the innumerable migratory fowl that come through, including the golden cheeked warbler, just

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golden cheeked warbler, just because you don't see it doesn't mean it's not there. I can also tell you about the 2000 trees tagged for trees that are on this property. This is the pictures you see. Here are some of the trees which were destroyed. And when they put in their a technical truck, their sole truck, that right there, that last one right there, picture is of a plow, which a bulldozer went through. And did I guess, for just experimental purposes. All these trees that they moved are still there. That's been two years. They're dead. It shows the irresponsibility of the developer to allow this fire hazard to be created and stay. Wow, that was quick. Well, thank you. And look at your petition. Thank you. Thank you.

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Thank you. Thank you. >> Sarah sauerbrey on items 88 and 89 with Christopher Paige on deck. >> Hello, my name is Sarah sabri. I'm a small women owned independent developer speaking against 88 and 89. I own the commercial lots next to this commercial lot that is requested for down zoning from cs to cs excuse me, sf three. This zoning means that my entire property will be engulfed by compatibility setback triggered setbacks, severely limiting my ability to use residential and commercial and create affordable housing from everything I understand my project is in line with the city's professed housing goals as a valid petition holder, I only need three of you to vote. And for me and for affordable housing is a citywide issue. For all of you. I'm asking each of you to vote no today. Vote no against the downsizing that provides zero affordable housing. Vote no so there can be more affordable housing. Vote no to show you are pro housing and pro affordability. Vote no for the bigger picture and to be

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bigger picture and to be consistent with Austin's housing goals. People are pointing to a waiver that doesn't exist yet, so we don't know what its final form will be. Or they're indicating that there are proposed compatible revisions coming. These are going to hurt my property. If you do not vote no today against this down zoning that provides zero affordable housing, then would you at least consider council postponing this applicant item until the waiver is actually completed and in place? I'm hearing it won't be very long. Early spring or earlier. I'm not trying to stop the applicant's project. They're only there are other ways for him to do what he wants. Standard single family lots. But much less effect on my property. This case seemed to go against the bigger picture in Austin and is saying that there are working toward the case would would be reducing housing units. But this doesn't make any sense. Please. I'm pleading with you to vote no. Otherwise you're killing the feasibility of my project and the housing in general. So that's my two minutes that I've been allowed to discuss my housing project. A very important vote that could financially and viably kill my entire project instead of producing housing for Austin.

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producing housing for Austin. Thank you very much. >> Christopher Paige on items 90 and 91 with Jenny Grayson on deck. How much time do I. >> Is that you? So you get four minutes if you're getting something donated? >> Yeah. Yeah we're working out some time. Donation Ann right now. >> Have I started. Oh, so are you ready now? Chris Paige, president of the Homewood heights neighborhood association . I'm here on behalf of myself, my neighborhood. Jane Rivera of the rosewood neighborhood contact team. Gilbert Rivera, president of the rosewood Glen oaks neighborhood association. Jenny Grayson, president of the Mckinley heights. Clifford Sanchez neighborhood association . We have uniformly opposed this

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. We have uniformly opposed this action because we are getting nothing out of the applicant, nothing. There is no enforceable agreement. There is nothing in writing. There is simply a assurances and things that will easily get wiped out if they sell it to any other party. We get nothing out of this. You're adding a dash V to a half acre. And what you're giving up is the ability for the entire block to negotiate for more affordable housing. You know that 60% is not affordable. You know that new housing is not affordable. And you also know that it incentivize houses the acquisition and demolition Ann of naturally occurring, affordable housing in the area. And it is not just opposed. There is a valid petition which the city refuses to accept it even though they are required to do so by law and by refusing that it's a sanctionable action . You know that you're adding in

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. You know that you're adding in appropriate density. It goes against all zoning policy that you've come up with and you're arbitrarily spot zoning to enrich a campaign donor that owns a massive amount of land in this area and all we're doing is giving them double the entitlements in exchange for nothing. We can get more than this and we are not getting it because we are not being backed up meaningfully in a negotiation when we have three, three city of Austin facilitated negotiations that we've had here. But they started with the presumption that this would be approved. So obviously we're not going to get anything out of it. Thank you. >> Next, we have Jenny Grayson speaking for six minutes. Amber air and missile Ramos both confirmed to be present, have donated their time. I'm. Going to press play. The applicant is

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to press play. The applicant is requesting a uniform zoning across a one acre site and to amend the neighborhood plan by stripping out the height conditional overlay I'm sorry, uniform zoning will include vm. >> I'm playing. This is my presentation. >> You need to testify. The we don't allow for a presentation to be done that way. >> I called before hand and they said if you have a video presentation, you can just drop off a USB. >> Well, I don't know who told you that, but we'll do it this time. But that's not, that's not the way we're supposed to do that. >> But okay, there's lots of unclear items around. There always are. So there always are. Sure. I appreciate you letting us do it. The applicant is requesting a uniform zoning across a one acre site and to amend the neighborhood plan by stripping out the height conditional overlay uniform zoning will include vmu, so the applicant has stated vmu is

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applicant has stated vmu is successful on airport and south Lamar boulevards, but east 12th street is not a boulevard. It's a level two smp street, primarily filled with single family homes, increasing zoning on the site will negatively impact walkability, neighborhood safety and cut through traffic and is likely to displace residents. The applicant says the land is restricted by compatibility, but we all know these standards will change in the upcoming months as the conditional overlay currently preserves neighborhoods along east 12th and residents have overwhelmingly voted to keep it in place. But the applicant's primary goal is to remove the conditional overlay. >> If you remove that overlay, that would really give you what you need from an roi perspective on this project. No, I mean, the primary our of our zoning case is to remove the overpass, clear . >> But residents don't support this. We've met with the applicant a number of times and have obtained no enforceable benefits. In fact, they've

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benefits. In fact, they've openly refused to discuss a restrictive covenant. And many of the meetings facilitated by the D. One office, the applicant bought the entitlements. They have now. They want entitlements. They didn't buy, but they're unwilling to deliver community benefits in order to obtain higher entitlements. So then why did they buy it? Is it because they want to increase the value of the land? >> One of our townhome projects that I mentioned the location on today, we rezone the land after we bought it by rezoning the land, we really significantly increased the value of it. >> Could it be because entitlement changes attract better financing? >> It's really tough for us to limit ourselves in that respect because it makes it harder to get something built for financing. >> Correct? Your financing or is it because they want to sell the property after increasing its value in person, they cry about poor market conditions. >> Yeah, the conditions are poor right now for projects like this , yet they openly broadcast the

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, yet they openly broadcast the recent record setting market performance on YouTube. >> Between 2020 and 2021, median rents increased over 35. Where you had rents going up rapid Lee and the vacancy rate dropping. So really strong performance on that side, removing the conditional overlay removes our ability to negotiate enforceable community benefits and the implied passing of the ordinance devalues residents, voice and power. >> Ultimately, we have nothing to prove. They will develop. They've admitted conditions are not favorable to build. They've refused to discuss a restrictive covenant. They've admitted to changing land entitlements to increase value, and they've refused to listen to community supported requests. Council is poised to approve these ordinances without community support. Our negotiations have been stifled and our concerns met with indifference. Nothing they've said is enforceable knell nothing. They've said transfers with the land if it's

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transfers with the land if it's sold and their de minimis concessions are in fact mandated, city requirements. This is a precedent setting case that deserves more thought, planning and community input than our city has done. We vehemently oppose items 90 and 91 and have filed a valid petition against them, even if y'all are trying to deny it on a technicality, we've countered with legitimate state certified documents. And let me just say this has been a grueling process fighting for our communities. Maybe at one point there was a free thought and goodwill on the city council, but it's hard to see today if we've raised a question that's piqued your interest, don't vote in favor simply because that's what's expected of you by your colleagues. Please vote against or request to postpone to get your questions answered. This might be a game to some of y'all who line your pockets with developer campaign contributions, but this is not a game to us. These are our homes. These are our neighbors. These are our neighborhoods, and this is our collective voice asking

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is our collective voice asking you to join your constituents and vote no. We've been asked to provide additional documents regarding regarding the filed petition, the signees are currently out of town and unable to sign the new documents. We've provided legal secretary of state documents showing the authority of the signees on behalf of the business provided in this packet in front of you. But this as well as the digital signatures, have been refused, even though Texas code. 322.007 states a record or signature may not be denied legal effect or enforceability solely because it is an electronic form as seen in the Acuna case. Currently, there's no documentation in the city's packet petition packet about business signatures and that fault should not be placed on us. Please postpone so we can comply with the new request. Thank you. Thank you, Mr. Mayor . >> I just wanted to add a little clarity. If y'all see us looking down at our screens, it's because we have the option to

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because we have the option to push the room. And so we can see your presentation on our computers. It's not a lack of care or concern. >> Next, we have Seth Wilkerson on items 90 and 91 with Michael Bernstein on deck. >> Hey, good afternoon, everyone. My name is Seth Wilkerson. I'm the homeowner on 13th street. My home falls within 200ft of the property we're discussing here today. My primary concerns with this are the building's proposed height as well as the increased traffic on an already busy and narrow 12th street. I understand that growth is inevitable and there's going to be a there's a dire need for affordable housing and traffic relief in this city. But I'm failing to see what this is going to accomplish. There's currently no plans for what will be what will become of this property. And if this variance is approved and the property gets sold. While there's still no plans, I don't see any reason

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no plans, I don't see any reason that this needs to be pushed through today. While most of the neighbors and the larger rosewood neighbor rosewood neighborhood community are still unaware of what's being asked here today and what impact that will have on them in the future. An 8 or 9 story building along 12th street is going to set a precedent that will shape the neighborhoods in this area. And what they will look like long after we're all gone. I think there needs to be considerable involvement from the community with what we want in our neighborhoods, our community to look like in the future. Generally, that would be the neighborhood plan that lists the maximum height at 40ft. But it looks like that's not good enough any longer. And if that's the case, then I just ask you to please give the neighborhoods more time to get the word out on this and organize. Thank you. >> Michael Bernstein on items 90 and 91 with imad Ahmad on deck. Good afternoon, council members. >> My name is Michael Bernstein and I'm with the geyser group. I'm also a resident of district

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I'm also a resident of district one and live about a mile from the site off of 12th street that I'm here to speak in support of our application to rezone. First off, I want to thank council member harper-madison and her staff for helping us facilitate negotiations and productive discussions with the neighborhood associations. I think through this process we've been able to make this a more complete project by making some concessions. As I'd like to read out today, a few of the concessions that we have made through this process is, first off, we've dedicated that at least 15% of the units will be multi bedroom. This is greater than the recently constructed nearby examples that we have talked to the neighborhood associations about specifically 8% at one property and 10% at another. The next is that we plan to use utilize native vegetation for landscaping consistent with site conditions such as the overhead lines. And that's going to limit the variety of plants from which we can select. The next is that we have promised to reduce the impervious coverage from the

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impervious coverage from the allowed 95% down to 90. And this we're requesting to be codified in a conditional overlay that would run with the land and be enforceable in the future. Next, we are engaging in voluntary compliance with requirements of the land development code regarding screening the areas of the property that are used for refuse collection. We have promised to comply with the international dark sky associations model lighting ordinance and we have also voluntarily opted in to do certain elements of the great streets program, including trees along the frontage edge, a bench and a bike rack. And finally, we've agreed to reduce the maximum building height to 80ft, again codified in a conditional overlay that will run with the land and will be a height reduction regardless of what may come with changing compatibility standards in the city. Once again, I'd like to thank council member harper-madison and her staff and ask for your support. Thank you. >> Imad Ahmed. On items 90 and

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>> Imad Ahmed. On items 90 and 91 with Michael Whalen on deck. Thank you. >> Council members, I'm speaking in favor of items 90 and 91. My name is Ahmad Ahmed and I live in the McKinley heights neighborhood, which is right next to the proposed development. I'm in favor of the rezoning request by the developer. 12th street is currently littered with empty lots and dilapidated properties, relaxed zoning will incentivize developers to develop on these properties. Moreover, denser, taller construction on a major east west urban corridor like 12th street allows for the following three things one more housing supply, which helps alleviate the housing affordability issues in east Austin in the affordable housing units. This developer has committed to further helps. Number two, a more lifestyle retail in our neighborhoods such as grocery stores, restaurants, barber shops and coffee shops, denser construction on 12th street will lead to more walkability for our neighborhoods. And number three,

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neighborhoods. And number three, a more use of existing public transportation in the area, including a bus stop right across the street from the proposed development and the mlk rail station in walking distance. Denser population will also help route federal dollars to this area to further improve public transportation infrastructure. I know there are a lot of I know there are a few loud voices protesting the change on behalf of the neighborhood. However, the residents have never been polled on their opinion in the neighborhood association. Ann hasn't had an election since pre covid times. Therefore no one can truly represent the neighborhood on this issue. I can say the vast majority of neighbors I have spoken to share my perspective. I believe the silent majority in our neighborhood would like to see this project and



zoning change happen and want to see the progress for our neighborhood, the denser neighborhoods like Mueller and Sotillo have already enjoyed. Thank you. Thank you. Michael Whalen on items 90 and

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Michael Whalen on items 90 and 91 with Dick Hall on deck. >> Thank you, Michael Whalen on behalf of the applicant, I too would first like to thank council member Harper-Madison and the district one staff for facilitating several meetings with representatives from nearby neighborhood associations. As you know, we are proposing a residential focused project with on site affordable units at 60. MFI pursuant to the vertical mixed use program, and we received unanimous support from the planning commission following the meetings that we've had with neighbors which took place after the planning commission. We are offering several additional community benefits and voluntary site development standards which are included in a letter that the applicant sent to the neighbors and the district one office. And if that's not in backup, I can hand it to the clerk to circulate some of those community benefits and development standards that we've offered. Mr. Bernstein already reviewed and went through. But to highlight two in particular

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to highlight two in particular can be, we've been told, can be conditional overlays, in particular reduction of the impervious cover and a height cap which would also be codified in addition to the letters of support in your backup materials. I'd like to call your attention to the late backup, which includes a letter of support from Mr. Louis Herrera, who I think represents some of that silent majority. Mr. Herrera's family has lived in Rosewood for over 70 years, and he helped create the Rosewood neighborhood plan in 2001. As we all know and as you'll read in Mr. Herrera's letter, the area has changed and progressed significantly. I think you just heard that from Mr. Ahmed. In the 20 plus years since the neighborhood plan was adopted and those changes, along with the original neighborhood plan goals, make this an appropriate site for adding housing capacity with on site affordable housing at no cost to the city. Some of those important changes include modernization and expansion of transportation access. As you have already heard, the site is located less than 400ft from Airport Boulevard, which is

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Airport Boulevard, which is which is an RCMP transit priority network roadway and an Imagine Austin activity corridor. It's also near four Capital Metro transit routes, including the Red Line Metro station. Thank you very much. Thank you. >> Dick Hall on items 90 and 91. >> Council members. My name is Dick Hall and I work for the Geyser Group, owner of the properties at 3121 East 12th. And I'm here to speak in support of items 90 and 91. First, I'd like to extend my thanks and appreciation to council member

harper-madison, her office and the nearby neighborhood associations for engaging in a series of conversations that have been very helpful as we imagine how to craft a project that is responsive to community needs. I'd like to take my time to read Mr. Herrera's letter referenced by Michael just before. This is from Luis Herrera. Dear city council. I submit this letter in support of the rezoning application for

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the rezoning application for 3117 3121 east 12th street. I live close by in district one at 2802 oak springs drive. This is where I grew up and my family has lived for the past 80 years. I've seen a lot of change over the years and have been actively involved in the neighborhood's development. In fact, I was part of the group that crafted the current rosewood neighborhood plan. I personally met with the applicant and I agree that their plan for the property is better than what could be done today under current zoning, the 40 foot height limitation that we put in place for the rosewood neighborhood plan roughly 20 years ago is no longer proper for that site. I believe the 12th street corridor is an area well suited for a project with more height. I also am a fan of the projects plan to include affordable housing. I hope that you will support their rezoning request since sherry. Sincerely, Louis Herrera 2802 oak street drive. I appreciate your consideration and ask you to support items 90 and 91. Thanks >> The only remaining speakers

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>> The only remaining speakers are for item 105, which was pulled. Should I hold off on those? Okay, that concludes all the zoning consent speakers. >> Great. Thank you. Members without objection, we will close the public hearings on any items that were requiring public hearings that were listed as part of the motion made by councilmember pool and second by councilmember harper-madison on the consent agenda. As noted, we have a motion and a second on the consent agenda. Is there any discussion with regard to the consent agenda members? Is there anyone wishing to be shown as abstaining Lang recusing themselves or voting no on any items on the consent agenda? Mayor pro tem. Yes, I'm going to be shown voting no on 88 and 89 simply because of the timing of the compatible issues. >> But I respect that the community has come to consensus on it. >> Thank you. Councilmember councilmember mayor pro tem,

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councilmember mayor pro tem, councilmember vela. >> The a brief comment. >> I just wanted to thank the owner and the agent on item 93. >> We delayed them a little bit because as we were looking for an easement to connect the highland neighborhood park over to Guadalupe, didn't work out on their property. We're still working on it, but I know we had to pull the item last time and I just wanted to

thank them for their patience and their and for working with us. >> Thank you. Councilmember. Councilmember Fuentes, did I see your hand up? Okay. Anyone else wishing to be shown abstaining, recusing themselves or voting no on any of the consent agenda as it was read with that, all those in favor say aye? Opposed say no. The motion carries and unanimously on the consent agenda, which means on the items that required more than a regular majority. We have a supermajority. Yes. Councilmember Ryan alter and then councilmember pool. So a quick comment about the Brodie

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quick comment about the Brodie oaks development. >> I know we've had a lot of conversation about this. >> I've had the opportunity to actually go back and pound the pavement and knock on some doors in the neighborhood to really hear from the neighborhood that is adjacent to this area, to understand what they're thinking, what they're feeling, and by and large, almost unanimously, people are very excited about this development. >> It's going to be done in a very environmentally friendly and just really improve what is there right now from an environmental perspective of the one thing, when I talk to people, they ask me, well, what does this mean for Bart and creek and Barton springs and when I told them about how right now you have runoff, that is going from this basically pure asphalt site into the creek. And now we have the ability to have level water quality on site and allow to not have that runoff.

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allow to not have that runoff. That's happening right now. People are very excited about that and felt that was a huge improvement point because the creek is really vital and it's really a special thing for that area. And so that is one of the biggest reasons why I'm supporting this development. I also believe that by reducing sprawl and allowing for us to grow responsibly as a city, that is going to also improve and limit our environmental impact on our community. And I would be remiss if I didn't also mention the affordable housing that we're going to see out of this. The developers have gone beyond what you would typically see as the percentage that we would have, and I'm glad to see Walter here with the foundation communities who is going to be a partner in bringing more affordable housing to district five, which we want and need. And so I just wanted to take that moment today to thank staff for their hard work. I know it's been a long time coming and it's been difficult, but I appreciate

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been difficult, but I appreciate your hard work and the development team for addressing the concerns we had and look forward to the next steps to make sure this is done very responsibly and effectively. >> Thank you. Councilmember councilmember pool. >> Thanks, mayor. I want to applaud the developers for their work on this pad on the Brodie oaks pad as well in imagining Austin. This project is identified as

an active city center for redevelopment in an environmentally sensitive area, and I think this pod thoughtfully deals with complex environmental issues while also providing a project that is appropriate, lightly dense. In this area. So in my opinion, it sets the bar for future pods going forward. It provides affordable housing, parkland, it integrates the goal, the goals of water forward and many other environmental and community benefits. And the best thing

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benefits. And the best thing about this pod is that it did not ask for public tax dollars to make it happen. So I thank you for to all for a great effort and a great project. Thanks, mayor. Thank you. >> Councilmember harper-madison . I'll start by saying if any of the developers or bankers in the room still stop thanking me. >> I only introduced you to my staff so they could help facilitate a connection with the community. Excuse me. So please don't step up there and thank me. You already heard what they said about me. I'm a developer shill, apparently, which I'm not . I'm a hometown girl. And there's not a single person who runs from office who doesn't take money from developers. At some point, can pains run on money? You got to take money. So please stop thanking me. Also, colleague, I wanted to make some comments on our east 12th street

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comments on our east 12th street zoning rezoning as this day is this neighborhood and my community knows I've been a staunch supporter of increasing access to housing, especially when there will be income restricted units on site. The property is near transit and there are no existing residents. I repeat there are no existing residents being displaced by the new developer. There are no houses there. This rezoning allows for that opportunity. I appreciate the time that my hard work and staff and frankly the neighborhood even those in opposition. I know y'all worked hard and are advocating for your neighborhood and I appreciate your participation. And that's what democracy looks like. I really appreciate that. The applicant has dedicated to finding some common ground on this zoning ground, even though the planning commission, by the way, unanimously approved this rezoning with no conditions. I encouraged and my staff

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encouraged and my staff encouraged the applicant to meet with and discuss proposed changes that could benefit the neighboring property owners. I did this because I believe that dialog and converse passion even amongst those who disagree, is absolutely critical as a result of those conversations, the applicant has agreed to the following improvements height reduction of the building, multi bedroom units on site parking, great streets improvements, reduction in impervious cover and compliance with

dark skies, model lighting, all of those appeal to me. I recognize that there are several neighboring property owners who disagree with this rezoning. I do hear you. Please don't think that. I don't. I absolutely hear you. I just think that given the alternative, this is a good project. The alternative is that it sits there and it languishes. As I'm from the 12th street area, I'm from that neighborhood. And if I agree with the development, I'm telling you that if I think it's a good idea and my family thinks

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a good idea and my family thinks it's a good idea, I think that it that should be taken into consideration. Ann I respectfully disagree with those who are in opposition, respectfully, my office remains dedicated to assisting you and others with neighborhood concerns moving forward. I truly believe there is more that we agree on than we disagree on and that we can do good work for our community. Katy and the surrounding areas. Thank you, mayor, for acknowledging me. >> Thank you. Councilmember harper-madison anyone else wish? Yes mayor pro tem. I'm going to bring it back to the Brodie oaks pud because I know that councilmember kitchen had done a lot of work on this before her term expired. >> And so I know councilmember Ryan alter coming into this and needing to get up to speed was probably something that took a lot of work and a lot of conversations. And so I appreciate his work on that. And as someone who also has some of those green blobs that are the environmentally sensitive of corridors and centers in the

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corridors and centers in the imagine Austin plan, I look forward to having that robust conversation around what's the appropriate way to balance transit opportunities, jobs, entertainment and still champion environmental protection along the way. So I appreciate I'm I guess I appreciate your work and I'm just proud that we finally got through third reading. It's been a long time. >> Thank you all that will take us. The chair will now call up item 105, zoning item 105 members. The just for purposes of schedule. My plan would be to go 105, 103, 101, and then 99. We do need to have another executive session. So at an appropriate time, I'm going to call for an executive session and that will be before we take up item 99. Yes councilmember qadri, I just have a quick

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qadri, I just have a quick question. >> When 103 is brought up, when will 102 be brought up? Sorry Wright Wright as part of 103. Okay. It's going to be. >> I got it. Okay mayor. >> Yes. May I ask what the executive session. >> It's related to item 99. Okay great. >> Thanks. Please >> Thank you, joy. Again with the planning department. This is item number 105 on your council agenda. Case number C one for 2022 0140. The request is from co ksmu cs ksmu co and mf three mp to cs movie co mp on the western

portion of the track and mf six mp on the eastern portion of the track. The planning commission and staff recommend this request. The rezoning carries forward all the existing prohibited uses on the zone track, which are agricultural sales and services, campground, commercial blood plasma center,

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commercial blood plasma center, drop off recycling collection facility equipment repair services, equipment sales kennels, outdoor entertainment, outdoor sports and recreation and vehicle storage. Again those would be prohibited uses. There are prohibited uses on the site now and they will remain. And construction, sales and services is a conditional use. The parcel is a approximately 2.4 acres. Again, this request was recommended by planning commission and staff recommends this rezoning request. The site is served by multiple bus routes stops including metro rapid and the site is located less than a mile from two. Imagine Austin centers and is near the proposed project connect connect station . Also Houston street clay avenue, William Holland avenue all have side walk gaps in the vicinity of the site at the time of site plan. This development will be required to complete gaps in the sidewalk network and adhere to a smp standards. The applicant is here and we also have transportation of public

[3:15:12 PM]

have transportation of public works staff here to address any transportation questions. The neighborhood definitely is concerned about the impacts this rezoning has on traffic. All right. >> So this item has been pulled. And so as a result of that, what we'll do, the order will go in is we'll have the applicant make a presentation followed by a representative of the opposition, then we will go to the speakers. It's my understanding there are five speakers. We will go with those in in in favor and then in opposition and then we will allow a rebuttal. In summary, to close. So if the applicant wishes to make a presentation. You're entitled to five minutes as part of this presentation, I'll be brief if that'd be helpful. >> Good afternoon, mayor and council David Hartman on behalf of the applicant, we have our transportation engineer, civil engineer and developers representatives available for questions. A lot of information on the slides have been covered.

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on the slides have been covered. I'll summarize the zoning case by its vmu two and mf six zoning case for a multifamily project with on site affordable units in a transit rich area with robust multimodal access and a proposed pocket park to jump to the chart in the middle of the slide. We're just demonstrates that we're proposing emu on the western for lots and mf six on the eastern for lots for approximately 350 units for a vmu two project which will have 12% of units at 60. Mfi on the western portion and we're partnering partnering with home based or habitat to do a voluntary private restrictive covenant that is

signed and ready to be recorded. There's no existing water quality in detention. Been more coming, bringing that up to current code, including atlas 14. We're reducing impervious cover to again, the on site pocket park open to the public. There's a public restrictive covenant that ties this to the neighborhood

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ties this to the neighborhood traffic analysis where that obligates us to provide roughly a quarter mile of off site sidewalk mitigation that again, that signed and ready to be recorded planning commission recommended that our request unanimously and staff is recommending as well. This just shows the location south of Koenig lane on basically burnet road. You can see that there in Houston street to the north, the western lots again were rezoning to vmu. The eastern lots were rezoning to mf three. You see vmu to the south and to the west . Then this again shows along this corridor plenty of emu projects up and down the corridor. We're leaving the multifamily Flum as is and mixed use Flum as is. This has vacant medical offices on the west and a vacant apartments on the east . And again, the vmu project department project to the west to imagine Austin centers within less than a half mile and then burnet road is an imagined Austrian corridor. It's a level three smp street, it's a tpm,

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three smp street, it's a tpm, it's a ct, see? And then this has multiple capmetro bus routes and stops, including metro rapid, immediately adjacent to the site with bike routes. And again, we're providing a sidewalk mitigation along Houston street towards the proposed clinic station, project connect station. I wanted to show this concept plan primarily to highlight the on site parkland that's going to be available to the public. You see up on the upper upper right hand side of the project and then this just demonstrates of the most recent projects, rezoning cases that council has approved this project basically falls right in line in terms of density and height. And then our transportation consultant can speak to the smp excuse me, the traffic mitigation Ann. Basically we're providing sidewalks all along or excuse me, up and down Houston street, also to the south, the neighborhood association had

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neighborhood association had input or the neighbors had input on on what streets we provided sidewalks. We provided or comments in favor of the sidewalk to the south, for example. I want to, on behalf of the entire project team, thank the brentwood neighborhood association and contact team and leadership. We had multiple meetings and they they we come up with these development standards that basically definitely improve the project and we're at a better place than where we started. Things like complying with hooding, shielding, screening from adjacent residents for providing the site parkland

dedication and complying with the heritage tree ordinance and of course completing the gaps in the sidewalk network. This final slide just summarizes all the reasons to support this providing more housing in all ages, near transit, it again served by multiple bus routes and stops are 350 units will result in street impact fees that can go towards things in the roadway capacity plan, such

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the roadway capacity plan, such as at time of site plan, possibly a traffic signal or something of that nature. Again, that will be determined at time of site plan. And then as shown at the bottom on site pocket park, pocket park, partnering with home base on site affordable units. And again we really are grateful for the feedback and input from brentwood neighborhood association. And our project team is available for questions is thank you very much. >> Do you want to ask questions now or any time you want to do it? Okay, good. Is there is there someone that wishes to speak as a representative in opposing action to this item. >> Good afternoon, mayor. >> And council members. >> My name is Greg chico. I'm the chair of the brentwood neighborhood planning contact team and. And I'm here to speak in opposition to the zoning

[3:21:21 PM]

in opposition to the zoning request. But let me start out by saying this is not a nimby issue for brentwood neighborhood. We have met repeatedly with the developer and the developer's representative, David Hartman, who was just speaking to you and the neighborhood in general has embraced many aspects of what the developer plans. But the caveat being, there is one major factor here that is highly problematic to the neighborhood . And when I say the neighborhood, I'm talking about a diverse group of constituents of Austin residents that run the gamut from a very modest income to younger people who have just moved to the area from tenants to homeowners who've lived there for many, many, many decades. The issue that is highly problematic and that really warrants attention and

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warrants attention and assistance from you as the elected officials, an and city of Austin Austin transportation department staff is some sort of resolution to address the major traffic impact from this proposed project. The primary solution, if you will, that the neighborhood brought forward an has discussed with the city, with city staff briefly, albeit, but also with the developer. Is some way in which the ingress and egress to the parking garage associated with this large development be associated with clay avenue so that the traffic will be on burnet road, which is the corridor, the three adjacent abutting surrounding streets. Clay other than clay R Houston, the other two are Houston and William Holland and William



[3:23:23 PM]

William Holland and William Holland and Houston street are already under threat, if you will, for excessive traffic, especially Houston street and the developers. Preliminary plans call for significant. I don't know, doubling or more I don't know the particulars, but major traffic increases on what are small residence streets. And that's what we're here for today to ask for your help in working with and directing the Austin transportation department and the developer. You know, on paper or purportedly is agreeable to some kind of modification of the site plan. But once you approve the zoning, the cat's out of the bag, if you will. And so we are imploring the you mayor and the county I mean, the city council members to work with or direct

[3:24:25 PM]

members to work with or direct Austin transportation department to develop a system or a means by which traffic can be directed to clay, south of Houston, only, and to burnet road to protect the neighborhood streets that are at great risk. Which are there any questions for me? >> Anybody have any questions at this point? Thank you very much. Thank you. All right. I'll now turn to the city clerk and ask if you'll call people in the order of those in favor of the applicant and application and then those opposed. And then we'll allow for a rebuttal. >> We have Kathie Smith for item . 105. She indicates for the record that she doesn't need to speak, so she wins the prize for the day. >> Next, please. >> Next, we have three against William spaceman. >> Please come forward. Mr.

[3:25:28 PM]

>> Please come forward. Mr. Spaceman. >> Good afternoon. City council and mayor. >> Thanks for having me. >> I'm I am bill spaceman, president of the brentwood neighborhood association. >> And I am here to say that the brentwood neighborhood association has recently supported the development of more than 1000 units in the section of our neighborhood south of Katy lane, where this property exists. S and we nominally support this new development tonight with the conditions that the applicant has generally agreed to. But we need the city's help to mitigate the added traffic, the basis for moving forward with this development was its supposed location on Burnett road. However, the city acknowledged, aged only a few days ago that that was an error. The property is near Burnett road, but it is not on Burnett road and it has no direct access to Burnett road. Now, we still support this development, but with the rework

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development, but with the rework direct access to Burnett road via the south few hundred feet of clay avenue, there's already a hybrid pedestrian traffic light at that location, and the city can solve the traffic generation problem by blocking the southern several hundred feet of clay avenue and upgrading the pedestrian signal to a new traffic signal for exclusive use by the residents of this new development, we further request that the second and third reading be postpone and today to allow for time for a traffic mitigation plan similar to what I've proposed here. Thank you. Any questions? Yes, thank you, sir. You bet. >> Also against we have Barbara Macarthur with mark Tobey on deck. >> Thank you for hearing me.

[3:27:33 PM]

>> Thank you for hearing me. Mayor and council, all the brentwood neighborhood association is not against this development. We're not against the rezoning. But there is a serious traffic problem. Last week this was on your agenda and it was listed to be on Burnett road. The recommendation for the project is all based on it's being on Burnett road. It is not on Burnett road. This project abuts three streets 26ft wide. It will produce 2000 car trips a day. Houston street and streets less than 31ft wide. The best operating is 1200 cars per day used Ann street, which reaches several daycares. Mccallum high school and also in concert location to a school for autistic children is now carrying over 3000 car trips a day. We don't have sidewalks on the streets level one streets are supposed to just be serving

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are supposed to just be serving local residential properties. We came up with a solution and our solution was and the developer has tried to purchase clay avenue to make it part of their project, but the city is not responding. And we talked to the city a lot. And even in 2016, the city blocked off that part of clay avenue to demonstrate it wasn't safe and they closed it and showed how much better it would be. But right now, the city says there's no way we will do this. So we're stuck. Mok we have three very narrow streets as people of all ages and all the people who live in the high rises on Burnett road walk through our neighborhood with their dogs. We don't have sidewalks ex Alls. We're asking for is a traffic solution. Ann and we'd like to have that before you go forward. Thank you .

[3:29:40 PM]

. >> Against item 105. Mark Tobey . Mr. Mayor, members of the council, thank you for hearing me. >> I live adjacent to the proposed development property. >> We moved there in February of 2022. >> I am here. >> I'm going to be very brief. >> I want to talk to you about one sentence in the staff recommendation. >> That sentence says details such as ingress or egress for traffic will be ironed out

through the site planning process after rezoning ingress and egress is the whole enchilada. >> As you've heard from my colleague. And right now, there's not a solution. What's happening is this property is bounded by neighborhood streets. That discussion after rezoning is going to be, well, how big is

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is going to be, well, how big is the entrance going to be on Houston street and how big is the entrance going to be on William Holland streets that cannot take this additional traffic and the developer has indicated some willingness to address this, some of these traffic issues. But the approval process, I applaud the efficiency. The approval process is so fast that that, you know, we I don't believe we've been able to work with him on making any of these changes. So my plea to the council is to delay the approval of rezoning because I, as a business lawyer, to think that that may eliminate any incentive that the developer has to perhaps look at purchasing additional properties to give true access to burnet road. Thanks for your consideration. >> Thank you. >> That concludes speakers on item 105.

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item 105. >> Okay. Before you come up for rebuttal the way we've I've been trying to do this so that we make sure that those in opposition feel like they're being heard is if you want to give any rebuttal in opposition, then I'll have you close. Mr. Hartman. Both of you will have two minutes. >> I'll take that. I'll be very brief. Mayor. Thank you. Has as has been laid out before you, the parties involved, the developer, the neighborhood were in concurrence. It's really we're looking for help from city staff and the Austin transportation department to resolve what is a very basic, fundamental. And it requires work and creativity, but it can be done. Thank you very much. >> Thank you, Mr. Hartman. Feel close. >> Thank you very much. I'll just echo that. There's a lot of common ground, a lot of the

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common ground, a lot of the issues that we have not been able to really address have been, frankly, a lot of site plan issues. I'll just reiterate that this project is adjacent to bus stops, bus routes multimodal access. We have on site affordability, on site pocket park, \$277,000 worth of street impact fees based on 350 350 units and off site sidewalk mitigation that we're offering. And we look forward to your hope for your support. Thanks. >> Thank you, sir. Members with that objection, we'll close the public hearing on item 105. I'll recognize councilmember pool. >> I'll be making the motion on this one. But before I do that, I did want to just say a couple of things and then ask for some staff clarification. Okay. The project improves the current state of what's on the ground in terms of water quality, detention, lots of new sidewalks and a public park park. And I

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and a public park. And I appreciate the neighborhood and the developer are working together to reach consensus. There may be some disagreement about traffic access on the diagonal lane of clay avenue, but I know both parties are continuing to talk, as we have heard here today. And there may be a remedy coming down the line. I did want to ask Curtis Beatty to come up and just explain for the public what the cadence is, what the sequence is that we're dealing with here. We do zoning. We make changes to zoning. And then as a result of approvals on zoning, then you move into the traffic mitigation planning during site planning. But you have to do the zoning piece first. Could you just kind of lay out what that sequence is for everybody so they understand why things are happening in the order that they are happening? Yes. >> My name is Curtis Beatty. >> I'm with the Austin transportation and public works department. >> But yes, this is a zoning at time of zoning. >> We just look at the general

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>> We just look at the general is the land use and the intensities being proposed from a transportation standpoint is the transportation infrastructure surrounding that adequate for such a development? We really don't look at access points at this time depending on how many trips the development has. There's different levels of analysis that has to occur and in this case, a neighborhood transportation analysis was triggered that is part of the backup out here right now. This development is looking at roughly 1600 daily trips. We'll be generated from the site. We have just distributed that onto the network to see how the network work is going to be impacted. We also look for deficiencies in the network, such as missing sidewalks, due roads that have future bike lanes. Do we have the right of way to add those bike lanes in the future? So that's really what's being determined at time of zoning. At time of site plan, that's when we get into the details is where will you have your driveways? What is the

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your driveways? What is the spacing from adjacent driveways, what is the spacing from intersections? What is the spacing from driveways and streets across the this your your roadways? We have a lot of criteria within the transportation criteria manual that will be required of this developer to meet. And that's how we are going to get into the details of exactly where the driveways need to go, how many driveways. I will say because of the type of development that could be developed here, AFD, Austin fire department also has some requirements that we have to take into consideration with transportation decisions so that they meet their fire and safety requirements to service this new development. >> Might those require easements have an impact on where the ingress egress areas are? >> It could it

depends really on the applicant themselves and how they choose to design their property for fire lanes. Do they want to have that separate or do they want to have concurrent drives for public access,

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drives for public access, residents and things of that nature with the fire lanes? So it really depends on the design they propose. >> Okay. And the design is going to come after we approve what the level of zoning is for this site. That's correct. So we really are looking at this piece has to happen first, then this piece will succeed and then come next and then so forth. >> Yes. And as far as potential improvements besides the locations and access of driveways, we will look like look at what is the impact on burnet road. There are still several other pieces in play with this developer as they look at the land and consider assembling adjacent pieces of land that could impact where driveways go. It could also impact the possible improvements they need to make, such as a traffic signal on burnet road and Houston or some other location. That makes the most sense for operations. And then also to facilitate pedestrian bike crossings so they can access the multiple bus stops in this area. >> And our transportation and public works department stands

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public works department stands ready to continue its its work with the developer and agent and the neighborhood on this project . Correct. Great. And Mr. Hartman, we have your commitments as well along those lines. Yes, absolutely. Yes absolutely. >> We'll continue our collaborative and cooperation with the neighborhood at time of site plan. >> And I know that to be true. You have acted that way in the past in some really important projects that have also been in the brentwood neighborhood area . And I very much appreciate that, as I know the neighbors do . Mayor, that's that's all I had to say. I'll wait to see if there's any other questions, and then I'll be happy to make a motion on this one. Any other any other questions or comments before I take a motion? >> Councilmember pool, you recognized for a motion on item 105. >> Thanks, mayor. And I move approval on all three readings for item 105. >> Is there a second? Second by

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>> Is there a second? Second by councilmember qadri Driskill Ann. Is there objection to the motion to approve item number 105 on all three readings? Without objection, item 105 is approved on all three readings. Thank you, members. I'll now lay the plan would be to lay out items 103 and then follow that up with 102 and then go to item 101, then go to an executive session and then come back out on item number 99. >> Mayor as I wrote it down, you said you were going to do 105, 103, 101. >> Well, 102 has to follow 103. >> I apologize. Okay. They're both palm school, and that's if I misspoke previously. I

apologize. But I appreciate somebody paying attention. I'm sorry, councilman. Okay. So with that, the chair calls up item 103, which is to conduct a public hearing. So without

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public hearing. So without objection, we will open the public hearing on item number 103. And I'll ask the city clerk to recognize speakers. >> We have Jessica Cohen, followed by Martha cotera, an item 103, Jessica Cohen. Martha cotera with Matt Gorski on deck. Is Jessica here? >> Apparently not. >> Thank god. Feel more comfortable over here. Good afternoon, mayor. And also beloved council members. My name is Martha cotera district five, five five. And I'm in favor of item 103 with reservations because I was run out of time. I'm going to do the last part first before for any plan planned implemented, we ask that city council authorize planning

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city council authorize planning staff to host work sessions with east side and Rainey representatives so that we can incorporate input and recommendations that we worked on for at least a six month period. And if you look at my chronicle, I mean, crunk chronological chronology over a 30 year period actually. So we want to make sure that our recommendations are incorporated accurately and completely into the plan. Historically and as decades long participants in this district's development process, which I have chronicled and participated in, we are the most significant stakeholders with the greatest insight on the district. And in fact, we are the ones that recommended the administrative entity for the district. Since we have seen how past initiatives there have been denied, you know, after,

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been denied, you know, after, you know, having been promised to us as well as revenue from the district that was promised to us decades ago when we started the tunnel project. So having done this last part now I can go to my other parts. How much time do I have on a hearing? >> You have two minutes and two minutes. >> Okay. >> The may 3rd resolution specifically focuses on Mexican American for the very same reason, because we're the longest surviving residents of the district, the most adversely impacted is that my time? >> I'm sorry. Your time. >> Thank you. So I will submit my comments to you and I have submitted the report, but it's also in your appendix. Yes. Thank you. >> Thank you. And thank you for your patience waiting today and for all you've done on this important item. >> We have Matt Gorski. >> Matt Gorski. All right, that

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>> Matt Gorski. All right, that concludes our speakers for item 103 members. That concludes all the speakers on item 103. Without objection, we'll close the public hearing on item 103. I'll recognize councilor member qadri for a motion on item 103. >> Thank you, mayor. >> Yeah. For item 103, our office is about forward an amendment that would amend the palm district plan to incorporate Martha Gutierrez final report on engagement of east Austin thought leaders as an appendix to the document. Miss cotera is a pillar of our community, an a tireless advocate for Mexican American culture and heritage in Austin, and I got a chance to talk to her during the little intermission after the music break and her husband, Juan, helped design the city hall building that we're in right now. >> Yeah, so just just so much. >> I mean, her and her husband and her family, you know, fingerprints all over the city. >> And I so appreciate her

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>> And I so appreciate her diligent efforts along with other advocates, to keep the rich history and contributions of Mexican Americans in eastern downtown at the forefront of the palm district planning process in the 1960s and 70s, the city liquidated an entire working class neighborhood north of 11th street to create Waterloo park in Brackenridge hospital. And in the past 15 years, we upzone the Rainey area and transformed a single family neighborhood. That, may I add, was historically a Mexican neighborhood into a forest of high rises. The impact of the decisions fell heavily on Mexican American austinians, who had deep roots in this side of downtown. It is the it is of the utmost importance to me that we uplift and support Mexican American experiences and culture in this district and work together for and work toward doing right by this community. As the east side of our downtown evolves, Ms. Gutierrez report can assist in highlighting the cultural history of the district through creative, impactful placemaking ING that aligns with the plans recommendations. So again, I thank her for her work

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again, I thank her for her work and on this report and I look forward to continuing work beyond today's agenda as community members and advocates to better highlight and celebrate the rich culture and history within this district. And with that move, passage of the amendment. >> Well, before we get to the amendment, I'm going to recognize that good speech and honoring of Ms. Gutierrez as a motion to approve item 103. >> Oh, that to I also move to. >> Is there a second? >> It's been a day second. Yeah. Councilmember Velazquez, now you're recognized and I recognize you and you are recognized. And I accept that you have now moved to amend item 103 members. He is moving to amend item 103 with what is labeled as version one motion one on 103. And as he pointed out, is to amend the palm district plan and table of contents to incorporate the final report on engagement of east Austin. Thought leaders related to the palm district as appendix five, a five to be

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appendix five, a five to be considered as the plan is implemented. Is there a second to the motion to amend second by councilmember pool? Is there any discussion on the motion to amend hearing? None. Without objection. A motion to amend number one for item 103 is adopted. Is there any discussion with regard to item 103 as amended? Hearing none. With that, I'm sorry, do the other amendments are we rolling those in? Those are in 102. >> I apologize. I thought you said 102. I'm sorry. >> We're still on 103. You need to talk just to a clarifying question. >> Stevie Greathouse, division manager for planning department, palm district plan project manager, just wanted to confirm which version of exhibit a is part of the motion. And there are two versions. There's a staff recommended version, which is version two. It is great. I didn't hear that and I get nervous. >> You sure didn't. Nor did I appreciate it. Yeah. Thank. No

[3:46:56 PM]

appreciate it. Yeah. Thank. No I'm pleased you came up and clarified that. Councilmember Ryan alter, did I answer your question? Yeah. >> I thought we were on 1 or 2. Okay, we're going to go to 102 next after we've done 103 because that's just the way we do things sometimes. >> Without objection. On item 103, as amended is adopted, that will now take us to item 102. Item 102 is a resolution relating to the palm district plan and initiating amendments to the downtown Austin plan and to city code. Title 25 councilmember qadri. I'll recognize you on item 102. >> Yeah, and I'm going to not do my whole spiel first. So I move passage for, for the item motion has been made to adopt item 102 second by councilmember Velasquez. >> Yes, we have a number of proposed amendments. Councilmember qadri I'm going to recognize you first on amendment one, version one is the what I have in front of me members. It's in the backup. It would

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It's in the backup. It would amend line 61 to 64 to remove, quote and two amendments to city code title 25, foreign land development code code close parentheses to implement the palm district plan, including targeted amendments relating to setbacks and development standards for properties adjacent to waller creek, close quote. Is that the one you want to do? Yes, sir. And for people that are here to speak, I want to get a motion out here and then ask you to speak is the way we're going to do this. Member tirz, you've heard the motion by council member qadri to adopt amendment one to item 102. Is there a second second by councilmember pool is there any discussion related to the proposed amendment one hearing? None without objection, amendment number one is adopted and that will take us to councilmember qadri on proposed amendment number two to item 102. It's an amendment to version one. It should be in



[3:48:57 PM]

version one. It should be in your backup. It's labeled motion sheet two to amend lines 81 through 85. Councilmember qadri moves adoption of amendment two to proposed amendment two to item 102. It's seconded by councilmember harper-madison. Is there discussion on amendment number two? Without objection, mayor, can you just go a little slower somewhere? >> Missed all of these versions . So I'm just trying to catch up here for this. >> Tell me when you're ready. So thank you. >> Okay. Two is fine. Thank you . >> Without objection, amendment number two to item 102 is adopted. We'll now go to amendment number three. Version one. It's labeled motion sheet three by councilmember qadri. It is to add a resolution after line number 85. Councilmember qadri moves adoption. It is seconded by councilmember Ryan

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seconded by councilmember Ryan alter is. We'll take a minute to make sure everybody's up to speed and I'll ask if there's any discussion on the proposed amendment. >> Can I just ask if staff have any concerns about any of these ? >> It's my understanding they don't. >> But no concerns. >> Okay. Thank you. >> Any further discussion? Ann. Without objection, the amendment number three by qadri to item 102 is adopted. Amendment number four by councilmember qadri is labeled amendment four, version one to item 102. It's on motion sheet four. In your backup it adds and makes an addition after line 56 and add an addition after line 85. The addition after line 56 is aware as and after line 85 is a resolution line. Councilmember qadri moves adoption of the amendment as seconded by council member Ryan alter. I'll take a moment. >> Mayor. I'm sorry, it is not

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>> Mayor. I'm sorry, it is not loading, so if I could see somebody. For Escott is there any discussion with regard to proposed amendment number four to item 102? >> Without objection, proposed amendment number four to item 102 by qadri is adopted and members that will now take us to proposed amendment. Number one that we actually be the fifth amendment. But it's proposed amendment number one, this one by council member Ryan alter. I'll give everybody a moment to look at it. It is on the motion sheet. He moves to amend the

[3:52:01 PM]

sheet. He moves to amend the resolution for item 102, beginning at line 57 and then at line 86. He makes an addition on, it's my understanding that these are not in conflict and council member Ryan

alter moves that we adopt the proposed amendment by Ryan alter it is seconded by council member qadri . I'll give a moment. Yes ma'am. >> So I did have one question here. When you say develop plans for the location of proposed uses for councilman bill house, we haven't actually made any decisions as to stay or go or anything. You're just saying figure out a plan forward. >> That's what I recommend for in the future. Take a look and make that as part of future planning. >> Okay. Thank you. >> Is there any further discussion on without objection, Ryan alter amendment number one to item 102 is adopt. Did members. We will now have comment from the public on item 102 as amended and we have

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102 as amended and we have Jessica Cohen, who I believe is not here and Martha cotera on item 102. >> Jessica Cohen. >> Miss Gutierrez, if you'll come forward. Good afternoon again. >> I do want to comment and congratulate Stevie Greathouse and her team for their hard work in reaching out to diverse stakeholders. And again, my only reservation was that our substantial recommendations did not apparently get to the planning commission. So there recommendations do not represent some very important issues and primarily dealing with palm park . One of our recommendations was that the city assume control the part assumed control of palm park because that will enable

[3:54:02 PM]

park because that will enable all our elected officials and not a nonprofit entity to work on its development along with what happens with palm school as we speak. Make the park infrastructure that is historic is being destroyed by Waterloo, greenway. Greenway and that makes me really sad. And I think there was another consideration that the city never listened to us about, at least keeping one Victorian structure in Rainey. And so we have one little house as a remaining, and I think the homeowner wants like \$10 million for it when the city removed structures from Rainey, we begged them to keep one house, which they promised at least one house and they never did that. So now I don't know what we're going to do. We have no representative architecture from the Victorian era, and then it's transformation into chicano

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transformation into chicano housing in Rainey. I just traveled all over Ireland and we should be ashamed that we destroy, you know, the images that make our city great anyway , I really appreciate your time, your effort, and I hope we follow up on these recommendations. Thank you so much. Your work on palm is very much appreciated and I support the amendments. All of them. Thank you. Thank you, miss Sarah . >> Lastly, Matt Gorski for 102, Mr. Gorski, that concludes 1 or 2 speakers. >> Thank you very much, members. You have a motion as amended on item number 102. Is there discussion on the motion

for to adopt item 102 as amended? Yes. Councilmember Allison alter I just wanted to recognize all the hard work that council member tovo had put into this plan and

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tovo had put into this plan and this planning process over many, many years. Councilmember qadri yeah, I will also give thanks. >> Councilmember tovo for her work on this. And I also wanted to thank my staff for working on this, all the stakeholders and much thanks to Martha for coming out today and just everything she's done for our city. >> Yes. All right. Without objection, item number 102 to as amended, is adopted. Let me ask , how many speakers do we have on item 101. Five. Okay then we'll go to item number 101. Members, item 101, the version that I believe we're on is version three by qadri. And I'm

[3:57:07 PM]

version three by qadri. And I'm looking down at him to make sure he doesn't tell me something different. Good. So you have in front of you the version three is a four. It is four pages and it's a red line version. We also have. A proposed amendment by council member alter that is labeled. Version two, and it is proposed to be, it appears. And I want to make sure I say this right council member alter it appears to be a committee sub, if you will, a substitute for the it's not an amendment line by line. It is instead a substitute, in effect, a substitute motion. Is that correct?

[3:58:08 PM]

correct? >> That is correct. Although I am not going to be offering that amendment. I do plan to ask a couple questions, and based on those answers, have a much briefer. The forward amendment, has that been distributed? It depends on the answers from staff. So I'll I can hand it out, but well, then let's do this since that's the case and it hopefully simplifies things, what I'll do is not take a motion right now. >> Instead, what I'll do is ask that our speakers speak and that way we'll have all the information in front of us. I know that's not the way I normally do it, but I think that because of the because of the weight of the proposed amendment, I want to make sure we're doing and being fair. Unless there's objection to me doing it that way. With that out, madam clerk, if you would, would you please call the speakers on item 101? Yes we have Greg Anderson with Connor Kenny on deck. Greg Anderson. Connor, Kenny with Michael

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Connor, Kenny with Michael Whalen on deck. Connor. Kenny. >> Michael Whalen with rob Gritz on deck. >> Michael Whalen passes Mr. Gritz. He also passes. >> And lastly, we have Daniela Silva. If she's still interested on speaking pass, pass. >> All right, that concludes our speakers on 101. That was that was some good speaker all right. With that, then what I will do for I'll go ahead and recognize council member Ryan Alter so he can ask his question so I can figure out whether or not there's efficiency to the upcoming motions. >> Thank you very much, mayor, and you'll be happy to know my long list of questions has been culled to three, so, so well, that could still be an hour and a half. >> Oh, we're going to get this

[4:00:13 PM]

>> Oh, we're going to get this done. >> I just have a couple questions for acm Briseno on this. First and foremost, I just want to confirm that on what is. Line 55 of where it talks about it says including but not limited to under that staff will look at all kinds of other options aside from just these three which are good programs. But I believe there is a broader. There's a broader way that we have fee and Lou done. And so just wanted to confirm that while these are enumerated, we will look at all all the options when it comes to on and off site fee and lieu options. >> That is correct. We will look at all options. Okay. >> And the second question I have have is that that the likely what will likely happen

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likely what will likely happen here is that we will engage with a consultant who will do most of this work and so do you have any objection? Ann when that comes back from the consultant, I assume we'll have to do some thought and analysis of edc also being involved in that conversation instead of just hfc. >> So that is correct. We my intention is to look at working with the consultant and absolutely we would be looking at edc S participation in this in conjunction with hfc. >> Okay. Well that is exactly what the amendment is. And I think my staff has it here. And all it, all it says is wherever you see hfc, which is on line 46 and on line 71, it adds and edc just to clarify that they will be working together on this. And I would be remiss if I didn't start off by saying I want to thank council member Qadri. We

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thank council member Qadri. We were unfortunately limited in our ability to talk directly to each other, but I think that I completely agree with with what he's trying to do in terms of getting information and that we, I believe, should have all the information possible. And so by including some of the language that I posted last night, I think we have really gotten there. And so I want to thank you for your willingness to work with me and directly here. And I'm excited to see what we get come January. So do I need to make a motion now or should I wait? >> You need to wait till we get a motion on the floor.

Sounds good. Chair recognizes councilmember qadri for a motion on item number 101. Could I. Could I ask councilmember alter a question? >> Or do I? Sure. Just a quick question. >> And I appreciate it. >> Us not being able to communicate until we didn't communicate for your motion, would this have a fiscal impact

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would this have a fiscal impact for the city to work with? >> Edc in any way at this time, or whether it's Ryan or acm? >> My understanding is that the edc would require funding to do this. I don't know what that estimate would be and I think we certainly could engage with them in a in an informal capacity to just learn more about the project before we discuss funding. Got it. Great >> Thank you. >> Great. So I guess we'll kind of talk through this and call for adoption of the resolution. >> A motion has been made by councilmember qadri to adopt item 101. Is there a second second by councilmember Ryan alter before I go to council member alter on his proposed amendment, let me make sure there's no discussion on the main motion. Councilmember Ryan alter you recognized for a proposal, a motion to amend item 101, as I mentioned, and as acm Briseno outlined, we do plan on on utilizing edc, but I just

[4:04:20 PM]

on utilizing edc, but I just want to formalize that in the language. >> Councilmember I got it. >> Councilmember Ryan alter moves to adopt, moves to amend item 103 with what is labeled council member Ryan alter motion to item 101, version three. And as he's pointed out, it adds in two separate sections as the words and a Ed C it is seconded by councilmember Velasquez Lucas is there discussion? Without objection, the motion to amend is adopted that will take us back to the main motion which is on item 101 as amended. Is there discussion with that objection? Item 101 is adopted and members that takes us to item nine. I'm sorry. Yes. Councilmember qadri. Yeah >> Do you mind if I do a quick little speech, please talk. >> There you go. Well, I just want to thank everyone on the dais. This has been a really

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dais. This has been a really hard process. >> Long and hard process. >> But, you know, we announced this resolution with a pragmatic vision grounded in community and opportunity for all our direction. Vision was based on long standing goals for inclusivity in the eastern portion of downtown. >> And as a resident of downtown , I can tell you downtown is not the diverse community we want it to be. You know, I understand and I see every day that you need a level of privilege to live in downtown and that's not how I think it should be. I want a downtown where our service workers, our health care workers , our staffers in this building , you know, can can live and work in downtown and regard less of even being

a mile away from the downtown area and having to take a bus here. >> To me, that's not good enough. And I think our city, unfortunately, has a as a history of segregation and pushing certain types of people out and not being at times a welcoming city. >> And I don't want to continue that that path. I believe in a

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that that path. I believe in a downtown that works for everyone. I'm committed to that vision. My team and I crafted our original draft of this item in close collaboration with city staff to ensure it aligns with the recommendations laid out in your previous memo. Our version two of the item added further clarification based on our discussions at Tuesday's work session and additional stakeholder feedback, the aim was to ensure that we explore options to include both on site and some off site affordable housing and the latest version, which we just passed, version three included further clarity to staff about what we want to get out of this exploration. It incorporates a lot of elements that councilman Ryan alter was looking for in an analysis to try to reach a more common good. It's important to note that none of the versions of my resolution had closed the door on a fee in lieu option rather than requiring on site affordable housing together with the district one office whose boundaries used to include this section of downtown. And I think their office so much working with with John and councilmember

[4:07:24 PM]

with with John and councilmember harper-madison, our strategy has been to provide a clear and achievable yield analysis of on site, affordable workforce housing to understand what our options are to maximize on site affordable workforce housing. While balancing the other interests of this council, both on site affordable units and housing overall are the community benefits that we believe should be the top priority for this redevelopment. One staff returns with this information, we can further refine and discuss feasibility of other on site community benefits, such as child care and other ground floor commercial uses. Then I hope we can move forward with a reasonable rfp process to get this project done in a time when the market is better as recommended by city staff, we stand behind the extensive community engagement we've done. We stand behind our area stakeholders in achieving this vision and I'm confident we've charted a clear path forward alongside staff. So I just want to once again thank everyone on the dais all our co sponsors very much want to thank staff and the D office and want

[4:08:24 PM]

staff and the D office and want to thank everything that D one did when this part used to be a part of their district. >> Thank you, councilmember qadri that will take us to item number 99 an and members of the city council will now and members of the public. The city council will now go into a closed session

to take up one item pursuant to section 551071. >> Mr. Mayor, I actually wanted to weigh in on item number 101. >> I apologize. No worries. Please. You're recognized. Thank you. >> I appreciate it. Thank you for the recognition. Councilmember qadri so item number 101, I just have a few talking points. I have had the privilege of serving on this dais for four years now, and during that time, actually, I guess over four years at that time, I have heard many promises made, many goals set and frankly have been a little disappointed to see that our city has become less diverse to councilmember qadri point and more exclusive, one of those promises I've heard

[4:09:26 PM]

one of those promises I've heard time and time again is all types of housing in all parts of town for all people. Well guess what? This parcel of land may be one of our greatest opportunities for affordable housing in downtown Austin. I think this parcel of land may allow members of our community who don't have a six figure salary to live in downtown. I respectfully disagree that it well, I don't necessarily disagree. I just think I really appreciate the further analysis. I don't think we should limit ourselves. I appreciate and respect all the sponsors and councilmember qadri , please, let's give our staff clear, clear direction and let's not repeat the mistakes of the past. There are times when we were working on this in the past and I'm no no brainiac, but something told me in my head those numbers were not going to pencil. And that's exactly what ended up happening. So I don't want to do that again. I would love, love, love for us to all make this a priority, especially

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make this a priority, especially as we're talking about capping and stitching. You know, that's going to really bring more pedestrian traffic from the other side of the highway. And I just I want to have that opportunity. Thank you. Great. >> Thank you. I apologize for stepping on you and moving too quick. Anybody else want to say anything on 101? Okay. Thank you. Public the city will council will now go into a closed session. We will be taking up one item. We will pursuant to section 550 107, one of the Texas government code. The council will discuss legal issues related to item number 99, which is approval of a resolution directing the city manager to revise and implement certain policies related to training, investigations and reporting by the office of police oversight. Excuse me, provide updates to the public safety committee and creation of a public work group. Is there any objection from the council to going into an executive session on the item announced? Without objection, the council will now go into executive

[4:11:29 PM]

will now go into executive session for members of the public? I don't think this will be long. We'll be back out here as quickly as we can and we'll take up item number 99 and the public testimony at that time. We are in recess as we I'm sorry, we are in the executive going into executive session. It is for 11 P.M. We're going to we're going to

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We're going to we're going to hear and discuss item number 99. My anticipation and I don't want to prejudice anything but my anticipation is that council's here prepared to vote on and pass item number 99. Item 99 is based upon on the under the status of state law and a legal interpretation of that law. But it's important for everybody to know that at between the time we had an executive session earlier today on item 99 and before we got to item 99, 99, we have a new opinion that came out from the attorney general based upon a public information act request based. And it was the it was received just today. And like I say, at a time when before we could get to 90. Item 99 and after the previous executive session when there's some need

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session when there's some need for clarity to be obtained and we're going to obtain that clarity and soon, if 99 passes today, Shea, I anticipate that and believe that the council will be back. We'll bring back another resolution very soon. Once we have clarity on that. Attorney general opinion that would allow the city to do more than is anticipated, than was anticipated when we started today in the 90. The item 99 that we have in front of us, in order for us to be in the position we hope to be and want to be and desire to be, which is to be in compliance with prop a, as much as is possible. So while 99 as it's written, may pass today, I would anticipate that once there's clarity and understanding and well, clarity and understanding, we would be

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and understanding, we would be back with another resolution that goes further than than what this is. Councilmember qadri I it's your item, but I wanted to provide some clarity as the presiding officer and I'll see if you have anything you want to say at this point. Yeah >> Thank you, mayor. I'm going to I just want to lay out some stuff before I move for adoption. But what a what a day . You know, last year, the council decided to let the voters weigh in on the future of police oversight. On may 6th of this year, those voters overwhelmingly supported prop eight over an alternative measure, prop B. Since that time, our contract with our police officers expired and council passed in spring of 2023, an ordinance that would allow for set pay and benefits for APD to extend for one year. In the past, many provisions of oversight have been defined through police contracts. But because we currently don't have a contract,



we must abide by state law in enacting provisions of prop eight. Since the passage of prop eight, the city has been

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of prop eight, the city has been parsing through how to enact provisions of prop eight legally without any contract. There have been many questions from the community and stakeholders seeking clarification on this process and the reasons why full employment and reasons why full implementation of prop eight has not yet occurred. This resolution that we're bringing forward today serves the purpose of detailing and implementing provisions of prop eight that can be legally done. And I want to stress the word legally done without a meet and confer agreement. Specifically version two, which we're going to vote on today. And that was posted on the message board yesterday. It directs the following Pto to obtain certification Ann, which allows for direct and unfettered access to body camera footage and will expedite preliminary investigate actions conducted by Pto opio to maintain and manage their own records, conduct preliminary preliminary investigations regardless if a sworn affidavit is completed and post data concerning all

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post data concerning all complaints to oppose website opio to serve as a liaison to compliant complainants and then create community engagement meetings for opio to report on complainant data and answer questions that the public may have about the complaint process. We place this decision in the hands of the voters in may and they overwhelmingly supported prop eight. It is now our obligation as their elected representatives to put their will into action. So I'd like to just thank the co-sponsors on this council member Vella rey, an alter and councilmember Fuentes, as well as the community advocates and stakeholders who helped us reach this point. And I'm excited to bring the item forward. I very much want to also thank staff and I want to thank Neil from legal for all all his work on all this. And with that I move forward adoption. >> A motion is to adopt. I'm sorry, the motion is to adopt item number 99. Is there a

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item number 99. Is there a second second by councilmember Velasquez? With that, I'll call on the city clerk to call our speakers as. First speaker. >> Is Beverly Lazard. >> Hi, good afternoon, Ann. My name is Beverly Lazard and I live in district eight and I support item 999. And I want to thank councilman qadri for bringing it forward. And I want to also thank Ryan alter, Vanessa Fuentes and Jose vela, prop a, as we all know now, went into effect four months ago and has yet to be implemented. It is totally unacceptable that police oversight and transparency function more like failed prop B, the will of the

voters must be enforced immediately. In may, Austin voters went to the polls to define the future of police

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to define the future of police oversight and transparency. Prop eight was backed by practically every community group in Austin when it passed and prop B was defeated. We owe it to the voters and to the thousands of people in this community submitting complaints about police each year and to everyone that may be harmed in the future to pass item 99 and follow through to ensure that our police department is subject to strong oversight and transparency. The oppo thanks to interim city manager in violation of the voters approved law is completely impotent at this point. This is not what the citizens of Austin voted for and I'd like to thank you very much for your time. >> Kathie Mitchell. Hi. >> This is Kathy Mitchell. I

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>> This is Kathy Mitchell. I want to start by saying thanks to council member zo and his chief, Sarah barge. Over the last few weeks, the office of police oversight has finally affirmed to them what people with complaints related to officer conduct have been saying all along that the office of police oversight is not conducting any investigations independent of APD, the opa has no independent access to documents needed for independent fact finding. Instead everything goes to APD and Pio only has access to documents if internal affairs decides to open an investigation without independent access to information. The opa is not making any informed recommendations with respect to the veracity of a resident's story or the possibility of a policy violation. This is one of the primary roles under the voter approved ordinance and one that helps families and APD by credibly eliminating unverifiable complaints up front . Meanwhile, there has been a significant gap up in the past

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significant gap up in the past between the number of incidents the Pio believed should be investigated and the number I a believed should be investigated , that being far fewer fighting for families to get appropriate investigation is the job of the opa independent investigation is the heart of civilian oversight and the main objective of item 99 is let us not forget that police action has serious consequence as you all just this week received an impartial Ed letter from Virginia Raymond relator to the questionable arrest of a person probably experiencing a heat related health crisis who subsequently died in jail. I had hoped she could testify to you today about this case, but she couldn't be here in person this afternoon. I very much hope this case gets a full independent investigation by the apo and without a yes vote today, that seems unlikely. Of the 1100 resident contact since April 72 were compliments

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since April 72 were compliments , presumably then 1028 were not. Compliment Bartz opio for reasons that have yet to be clarified. Categorize. To I'm sorry, am I your time is expired . >> Jen Ramos. Good afternoon. >> Members of council as well as mayor say we are at a precipice. We actively respect the will of the voters or look the other way because it's convenient. In may of 2023, voters overwhelmingly asked for police oversight and accountability. So much, in fact, that prop eight passed with a vote margin of 38,822 votes. Interestingly enough, interim city manager has discussed was appointed to his role by a mayor who was elected by the decidedly much smaller vote margin of 700 people in December 2022. For four months in and nowhere near implementing properly. It's time our interim city manager starts working for the people of Austin. Our community is looking for

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community is looking for accountability and answers to why our police force has reached this point. That means looking into the office of police oversight conduct. At minimum, a preliminary investigation for all complaints acting as liaison to people that complain to help them through the process. Mayor managing their own records and reporting public information and being granted the direct and unfettered access to information they need to do their job. I urge the council to respect the votes of our community that are overwhelmingly seeking accountability and to vote yes for item 99. Thank you for your time. Erica Howard. Hi, my name is Erica. >> Howard Cormier. I'm a native austinite, a graduate of martin junior high and of Austin high. Just like my father. I'm a student at the Ibj school of public affairs. I'm a homeowner and a proud constituent of district one. I used to run a small business called ingredients grocers on Maynard road. We were open for six years and I was a founding founding

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and I was a founding founding board member for the main road merchants association. I'm a mother of three children, ages 16, 11 and two years old. I am testifying today to express my overwhelming support for item 99, the occurrences leading up to the vote on propositions a and B are quite frankly, embarrassing. The deceptive conduct on behalf of the Austin police association leading up to this vote was shameful and harmful to the community. We have had false petitions, scrambles to have deceptively collected signatures removed, and at the end of the day, the people, my community has made their voice clear. We shouldn't have to keep showing up in this way, but we will as a white woman raising children in east Austin, I have repeatedly seen the police treat my neighbors of color and their children differently than my own family. It is unconscionable that this unethical, immoral and potentially

illegal racial profiling, which we hear about on the media and which occurs on a daily basis in ways whose harms can never be calculated, be given tacit approval by this elected body against the will of

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elected body against the will of the people. The deceptive conduct that has occurred by Austin police association is only further evidence of the need for external police oversight. The council chose to trust the voters. The voters have spoken. It is your job to be responsive. The will of the people is clear. These are the same people that elected you and you have a mandate. As I'm sure you are aware, the issue most deeply affects the daily lives of those who at least who were least likely to be able to dedicate an entire day to wait to speak at a city council meeting. As you and it seems that everything has been done, at least symbolic, to make it as difficult as possible to participate in this conversation we are having right now, despite the will of the people. >> Thank you. >> Next speaker is Ruth moon. Singh. >> Thank evening mayor Watson

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>> Thank evening mayor Watson and city council members. Thank you for giving me the opportunity to testify. My name is Ruth Messinger. Passing prop eight was important to me because my son Reagan and my whole family, except perienced the worst from Austin police. Reagan was a businessman in Austin, an entrepreneur of philanthropist, police shot my son rather than speak with him while other officers tried to get the others to uncuff him and render aid. That that officer was ignored. And my son bled out lies and misinterpretation in the immediate aftermath amplified our pain. Later, the police who spoke with us were never focused on justice for our son. Just the transfer and effort to exonerate the officers . So we decided prop was important and fought for it. My

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important and fought for it. My husband, my sons and I will visited with legislators not once but dozens of times. We went to leadership officers at the capitol to and during the election. We visited with our neighbors to explain what it was all about. That prop makes transparency about police conduct a policy of the city. Police cannot do their job without the trust of the people . And right now it must be very difficult indeed, despite all the work, the clear mandate by the voters and the failure of bad legislation to preempt prop eight, the city is yet to implement prop eight, maybe prop eight would have prevent what happened to my son. Maybe not, but prop will ensure that other families won't have to go through what we have experienced and maybe would have produced

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and maybe would have produced better policy about the duty to render a coming from a place of love and finish your time is expired. >> We appreciate your coming your testifying, though. >> Next speaker is Yasmin Smith . >> Yasmin Smith, vice president of justice and advocacy of the Austin area urban league. I think coming after a woman who lost her son. To the lack of accountability within our policing speaks volumes and that she only had so little to speak compounds the necessity of item 99. Council member zo, thank you for bringing this to the dais. It's very simple, folks. We voted it in. It is a mandate and it is time for you to simply do your job and follow that mandate

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your job and follow that mandate . Proposition a as was said by many of my colleagues and will be said by many of my colleagues who we as the Austin area urban league stand with in partnership today was passed overwhelmingly . We owe it to the voters, to the values of the people in this community to uphold that mandate . As council member zo remarked , this is about the legal parts of that of that mandate. And so I would ask us not to use allegations of illegality as a Trojan horse to mitigate democracy. It is time to do what you have been asked to do. It has been it is time for you to do, as the voters have instructed. Simply put, it is time to do your job. I yield the rest of my time and maybe we can give it to the mother who literally lost her child. Thank you. Okay >> I will now move to in-person speakers. Rebecca weber on deck

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speakers. Rebecca weber on deck is Angelina, L.A. Daniella silva . Followed Singh is Alicia Castillo. >> Good afternoon. Council mayor . City manager my name is Anna silva. I'm a resident of district three. I would just like to start off by thanking council member Kerri by bringing forth this item, because it's past time that city impleme events over the what the voters have overwhelmingly voiced through voting on prop a in order for city of Austin to comply with the revised chapter 215 of the city code that voters overwhelming passed on may 6th, 2023. And the will of this council as laid out in ordinance . 20230223061, passed in February 2023. The operations of Pio must be updated. We owe it

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Pio must be updated. We owe it to the voters, to the thousands of people in this community submitting complaints about police each year and to everyone that may be harmed in the future to ensure that our police department is subject to strong oversight and transparency. The changes to Pio outlined in this

resolution include only those that can be made under existing state law without a meet and confer agreement with the Apa. While not all of prop a can be implemented outside of a contract with police association, the updates described in this resolution are not only legal, but it's illegal not to put them in place immediately. Many of the tasks assigned to Pio by this resolution have been previously done without any special training or personnel and passing this resolution is essential to showing council's support for police oversight and transparency. And frankly, I'm frustrated that we even have to be here. I would expect the state ledge not to represent me or make decisions in my best interests. That's kind of the

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interests. That's kind of the status quo at this point. But I always thought that at least Austin would have my best interest in mind that Austin would be the safe place where our local government listens to its people. But it feels like the ledge has infiltrated city hall and here we are as average residents urging council to do their job and follow the law. I urge you to pass item 99 today as a first step in full implement station. Thank you. >> Next is Alicia Castillo Zhao Connelly. Sadat birju. If your name has been called, please approach the podium and state your name. Good afternoon. >> Almost. Good evening, mayor and council. As you can see and as we can all see, a great number of speakers who had signed up to speak today, unfortunately, are not able to be here due to the many, many delay tactics installed or tactics that have not only made

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tactics that have not only made it so that so many folks in our community who signed up to voice their their to bring their voices here in a democratic process, we're not able to participate late due to the many games and chicaneries that were played today with the folks who signed up to speak. And I will say one thing, though, one thing is clear at this point. The very fact that we have to be here today by having this conversation proves to us that a city manager who has recently demonstrated his tremendous disregard for the power and authority of this council shows an even greater disregard for the voters of Austin because we wouldn't have to be here today if this city manager took seriously the voice of the people in Austin in may when over 80% of this community passed prop a, we should be doing everything we can to fully staff the department to report to the community on how prop a is being implemented, to give the department of the office of police oversight all the power and authority it needs. And we should not have to be having this conversation. But we will

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this conversation. But we will come back and have this conversation as many times as is necessary until the day we have a city manager that actually respects the voice of Austin's voters and that respects democracy in Austin. I look forward to that day and I also look forward to the day when our city council and our mayor respects the rights of the folks who signed up to speak Mok and lays forward a process that doesn't involve multiple going behind the scenes to multiple executive sessions such that many of the almost 100 people that signed up to speak today were not able to voice their opinions. And we're not able to participate in this process due to games that were played here today. So I look forward to seeing this item pass and I thank council member qadri for bringing it forward. But boy, have we got a long way to go in showing our respect for the people of Austin and living up to the commitments that we have claimed to make and to uphold in this community. Thank you. >> Next speaker is Sara birju. On deck is Evelyn butler and Thomas downing.

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Thomas downing. >> Okay. Thank you. Good afternoon. The city mayor, council members and city manager. Thank you very much for your efforts to efforts to serve Austin community. My name is Joe. I'm from Algeria. I'm here as a fellow with ajc Austin justice coalition, as a part of program professional fellows program, an exchange program by the us department, which is a global exchange program designed to promote mutual understanding . Singh enhance leadership and professional skills as a leader and a social worker in Algeria with associated association future for development. I'm here to support ajc and brave communities for their fight for police over site to have real access to data and the power to investigate police conduct to make people safe. If there are two questions here, first one,

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two questions here, first one, who does the policing of the police number two, who what tools do people have to hold the police force accountable? Thank you very much. >> Next speaker is Evelyn butler on deck, Thomas downing. Fran, tattoo. If you hear your name, please approach the podium and state your name. Amanda Marzullo . >> Good afternoon. I'm Tom. Downing, a resident of district five and co-chair of the racial justice task force of university united methodist church. Democ autocracies are like mountains are not permanent unseen forces and currents can quietly erode them till no one living remembers that they were there right now two currents threatening democracy seem to be seeping quietly into our city

[5:16:12 PM]

seeping quietly into our city government. The first one ignores the will of the voters. The second leaves police unaccountable to their community. Last may, the people voted for proposition a to strengthen

police oversight. It's now September, and not only is proposition a not been implemented, but actions. By the city of caused there to be less oversight than there were before. It appears the Pio has been mostly reduced to following police internal affairs around, hoping to be allowed to ask questions of those being investigated. In the meantime, the city council voted. Police department raises recruitment and retirement incentives and most of what the police union requested in the four year contract that the city never signed. Council did this in the name of stabilizing the department until a new police contract could be negotiated. And I sat in on the last police contract negotiation burns and I wonder why should the police union negotiate now when they already have most of what they

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already have most of what they asked for without oversight? The voters insisted on equity action lawyers tell us that even without a contract enough a proposition a can be implemented to return the office of police oversight to an effective independent investigative body capable of reporting or recommending appropriate actions to the city concerning alleged police misconduct. This is what item 99 will do. Thank you for support Singh it. But remember policing without accountability leads to oppression and democracy delayed. Is democracy denied and Alicia torres, Edmund Davis on deck is David Johnson Ann and Maggie Luna. >> If your name has been called, please make your way to the podium and state your name. Good afternoon.

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afternoon. >> Good evening. I'm going to take the executive action here and assume that I'm next. I shall, sir. My name for the record, mister mayor, is Edmund skip Davis. I've been living in Austin for 25 good years and I've enjoyed the success. Urges of beef, a resident in Austin and having access to the courts to seek redress for citizens who have been oppressed by Austin police departments. Brutal practices over the years. Ashton Cumberbatch was here a little bit earlier and he would have had something interesting to say to this August group since he's not here. I was also here as the runner up for the first city managers. I'm sorry for the first opm that you might remember. Mr. Garza and it's good to see you again, by the way. And I will not chastise this August group for the

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this August group for the efforts that you went through today and machinations to get where you are today to vote. Yes, I appreciate it that you had that level of deliberation amongst you. And I will remind you, though, we are watching, but I also am cognizant, Mr. Mayor, that the 700 votes that did get you over the top, they were quality votes. I represented gene vela shot in his own house by the police. I represented Gwen Daniels, shot on sixth street as she was trying to escape a mob that attacked her. I



represented Tyler Harrell, a botched a botched swat raid. I represented Landon nobles. Landon nobles was the case that you guys should be paying attention to that was a \$67 million verdict. There are many more of those awaiting to be heard by. Juries that should strike fear in you. The city is no longer going to stand idly by . The thing about all these cases that I've just recently mentioned is that we had the

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mentioned is that we had the office of police manager. Police we had the opm. Can I have a. Okay, very good. I will just leave you with this then there's a legal system and there's an internal accountability system. Let's make sure the eternal accountability system serves our clients better than the legal accountability system. Thank you for your time. >> We appreciate your being here. Thank you. You're welcome. >> Next speaker David Johnson, Maggie Luna, Elizabeth Gonzalez . On deck is Sarita fantazzini with Luis osta lugo following. >> Good afternoon, people. Good evening. I mean, I'm overwhelmed with everything that's going on right now. I am embarrassed of y'all up there because y'all

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y'all up there because y'all should be for the people. Remember who put you up there. Remember the community because you were once like us. Once you get up there and you start thinking about money and all that, y'all forget about us, which is a community. There might not be a lot of people here, but there's a lot of people backing us up on this prop eight. Now, this bullcrap that George is thinking about needs to pass because if it doesn't pass, this is what y'all are doing to the community. Y'all are spitting on us like we our voices don't count. And that's the truth. I'm the only one that probably can be as raw as anything, to tell you the truth. Because I ain't going to sugarcoat nothing. Okay I am the community. I'm out there with voices of what I hear, what people can't speak and what I did today, I'm very, very surprised at y'all. Seriously trying to do this on purpose. That's cool. But there's still some of us here. And another thing that already makes me think that y'all are already going to say no. Where's your officers that are always here at every meeting? They're not here because they're probably we got this. Really? So like, think again the next time that y'all vote, y'all say no. Why are

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vote, y'all say no. Why are y'all asking for our votes for? Remember, we put y'all up there . Y'all going to get there'll be a time where it's going to come again and we'll see if you'll get back up there again. Because when you lie to the people, lie is what I'm saying. All of y'all lie. We're not all perfect, but at least stick to your word and do what you need to do for me, for the people and what y'all did was embarrassing that. And I'm just so broken by this because to me, like I said, y'all already spit on me because I don't see any of the officers here because there are always somebody here saying something.

But I guess not because they already know they won. So what does that make us? And y'all wonder why we don't we don't depend on the police because they they don't even speak to us . So how are we supposed to communicate? So tell me. Think about that. So I don't think about it because y'all don't live in the hood. Y'all don't live like we do. Y'all got a silver spoon in your mouth. Not everybody's lucky like y'all, but remember that if y'all say no, this is what you're doing to

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no, this is what you're doing to the community. Spitting on us, that our words don't mean nothing and they do mean something. Remember that? Remember that our next speaker is Sarita fontanesi following is Luis osta lugo haam. >> Anna Alexander. Please state your name when you approach the dais. >> Thank clerk my name is Luis lugo. I wanted. To thank the council. I wanted to first and foremost thank councilmember quadri, councilmember Ryan alter , councilmember Fuentes is not here and councilmember chito vela for actually taking the lead on this. You know, it was very funny. I just got a text from my partner saying that the mayor may omea may owe her a lunch after I was not there to be able to cook it for her. So I'm a text you her dietary preferences after after this you know, I was going to have a whole thing about what it was like to grow up a third world country. You know, I grew up

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country. You know, I grew up very poor there. And the police are basically get to do whatever they want, kill you, kidnap you, bribe you, take you down, and god knows, because you can't do anything about it, because they're only accountable to some far off bureaucrat, loyal party man who can do whatever he pleases without any consequences. And I was going to say something nice. It's good that we live in America and not a socialist dictatorship where people have freedoms, rights where democracy really matters, where 80% of the people voting for something means that it happens. And it's just kind of unbelievably infuriating that we bring the kind of insane, petty shenanigans, anti-democratic shenanigans that ought to belong in some form of dictatorship or maybe in the state ledge into the city hall. You know, the bright blue gem of Texas right. It's unbelievable. And the kind of thing that I would hope we leave to other people worse people who don't care the way I know every single person here cares or at least should care about the constituency, about the people of Austin, about what it means to actually serve the public. You know, nobody does

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public. You know, nobody does this. You know, nobody takes the hard job of public service for money, you know, the parts or whatever. Some people say, or for glory because you do not get much of that right. You should do. And I know everyone here does it for the public service and what you've done

today. Mayor I'm sure you meant well, but was the kind of like un unbelievable, disrespectful, disgraceful behavior that I would expect from, you know, the people in power in Venezuela or at the ledge. So I hope you do better because I know you mean well. Thank you all. >> Hello, everyone. I've decided it is now evening, so I will say good evening. Hopefully my fellow speakers will also think it's evening. Feel like it's been a long day. But my name is Hannah Alexander. I am the Austin staff attorney with workers defense. It's good to see you all again. And I am here because in November of 2021, instead of properly serving a subpoena, the Austin police

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subpoena, the Austin police department decided they should execute a search warrant at our nonprofit office to obtain video footage of an attempted alleged assault that occurred in our parking lot. The conduct of the officers was egregious at various points, they decided it was necessary to pull out their guns and do a search sweep of our nonprofit office. They accused my coworkers of destroying evidence, and so we thought this would be a perfect thing to file a complaint with the office of police oversight. Our experience there was I don't want to say it was useless. It was probably less than useless because you know, we did have faith that the system would work at least to some extent, and that there would be some kind of accountability. And there wasn't. And I have accepted that I'm going to die mad that this happened and that there isn't going to be accountability. But I truly believe that this doesn't have to be the way it is

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doesn't have to be the way it is for other people. This is really just kind of a simple thing about democracy. We, you know, y'all maybe not everyone here because I know the council has changed, but they, you know, you all have had past opportunities to implement something like this to make sure that an office of police oversight actually functions to oversee. And, you know, at first we wanted to wait for the voters to decide. Eid didn't want to pass it last fall. Now the voters have decided. And so I guess, you know, I think it's just a basic democracy that the will of voters should be reflect Ed. And also, if there is hesitancy to not have oversight of the people who carry guns and we trust for public safety, that's very concerning. So I hope you do vote for this and it sounds like y'all will. So thank you. >> Next speaker is Clarence Williams. On deck? Is Susan Spataro, then Brian mcgiverin, followed by Virginia Ramer. And

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followed by Virginia Ramer. And if your name has been called, please approach the podium and state your name. >> Thank you. Susan Spataro and I live in district eight. You know, everyone talks about the community and I want to say the kind of community that I'm representing today are people who go to

work every day, follow the law, don't use drugs, pay their taxes. When they run out of money, they take a second job. They call 911 when they're afraid and hope that public safety takes care of them. So I would like you to hear that voice. I was very disappointed, Eid, when in fact, the petition that started out and said the people who started the petition are very knowledgeable, but it contained section ones that were illegal as far as 143 then it came to council to put it on the ballot. And even though your own attorney said there are illegal parts of that, it went on the ballot anyway with those legal

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ballot anyway with those legal parts, then people voted and now it comes to, you. And with illegal parts. I strongly believe in the rule of law for when the government takes our money, you owe it to us to follow the law. Citizens should not have to be able to sue you. And this is the kind of thing that happens. The truth of the matter is, is a small amount of police should be treating people well. I absolutely agree with that. And if they're not, they need to be disciplined. I don't disagree with that. But what we have been doing in this town. Since 2020, when we decided to have a very small group, not the community as a whole, talk about defunding the police, which was happened re reimagining public safety. Crime went up. You want to hear some really horrible things. Travis county lead all the counties across the state in fentanyl related deaths. More

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fentanyl related deaths. More than five deaths for every 100,000 people. El Paso was the next with just under three. There's nothing good about that. Car thefts. Anyway, I will stop there, but I hope that you follow the law. Thank you. Thank you. Next speaker Chris Harris, followed by Sarah Rodriguez and missile Ramos. >> Good evening. >> Thank you for the opportunity to speak my name is Chris Harris. I'm here representing Lang equity action. I'm a resident of district nine. I want to start off by thanking the co-sponsors for this item. Thank you, councilmember vela, for your legal acumen that you bring. Thank you, councilmember alter, for your really close read of the law. Thank you. Councilmember Velasquez, for your heart and your humanity. Thank you. Councilmembers Ellis

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Thank you. Councilmembers Ellis . Thank you, councilmember Fuentes. Thank you, councilmember harper-madison, you've supported police oversight, particularly as represented by from the beginning and that's seen, of course. Thank you, councilmember qadri, for your leadership on this item, your dedication to seeing this through. Really appreciate those of you in support and, you know, I think you we it's the main thing of course of note about this is just unfortunately why we have to be here because because we shouldn't. And I think you heard from someone earlier during citizen communication about

their poor experience with the civil rights office. As many of you have heard over the last two weeks meetings that we've had about people's poor experience with police oversight in the last months, a direct experience from people who have experienced these offices and I think it's and obviously we had the whole fight over the equity office during the budget. And I and I and I, you know, it's hard not to see the pattern of the

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to see the pattern of the offices that are designed to help protect people, protect people from the status quo, protect people from big business, from discriminatory practices, systematically being undermined. And not functioning properly under this current city leadership. And unfortunately, the will of the voters are not being implemented without y'all stepping in to make sure that it is. So. I think it's important for us both to move forward with this item. And I really appreciate everyone who's going to support that item, but also to continue to question why it is that that these offices are functioning this way and why you have to do this. Thank you. >> Next is Sarah Rodriguez, followed by Michelle Ramos. >> Is it okay to sit down here? >> Yes, please be sure. You push the button so that the microphone come on. Okay. It looks like it's already got it. >> Sorry. Sick a little sick. So we're waiting. Yeah. I just want to thank everyone here and thank everyone for taking the time to pass this. It's a little disappointing that it has come to this. I will say for me, the

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to this. I will say for me, the thing that's even more heartbreaking and even more scary is that I've worked at the city of Austin for five years with the office that helped to turn the opm into Pio to help get the complaint form and thank you form online and also with Pio itself. So I know how dedicate these people are. And so when you hear things like that about people who have had bad experience, that's not the staff. And so it just makes me wonder about the mismanagement and the lack of resources, the lack of support, you know, so many things that Pio did, like publishing updates on their research, all of these different things. I don't see them anymore. And I know that that's not a lack of caring. You know, your staff, you know, they care about this issue. They could work anywhere for 25, \$50,000 or more. So Ellery but they're staying here because they care about this issue. And so I just ask that end. This implements action. It's not just an implementation. And some implementation that's focused on

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implementation that's focused on the community. I shared, I think in the contracts, all of the research that was done around the online complaint form and the current version, the anonymous forgive my language, the anonymous status, it's ridiculous. How can you ask someone to give their name when

they're afraid, when this is the only avenue they have? And so it's anonymous and it meets with the requirements. But it doesn't serve residents. It harms them. And so I'm just asking you to take that into consideration as you vote this through, as you implement this through that, you think of residents, especially those who are most affected by it and who would be most afraid to come in and who are going to suffer the most if it isn't done right. So thank you for your time. Thank you. >> Miss Ramos. >> Hey, everyone. My name is Michelle Ramos, and I am

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Michelle Ramos, and I am speaking in favor of item 99 for implementing certain policies that expand police oversight, provide Singh in time updates to the public, and creating public workgroup to help inform our city on what our police force is doing. As you all know, our city passed prop eight recently, though there was a ton of money thrown at opposing it when it comes to policing, any additional oversight is a positive thing, especially for black and brown communities that have historically been victimized by the police force. I come here to speak about my family's experiences with policing in 2021. My cousin Ashton pinky was shot and killed by Mesquite pd. The healing journey from the murder of my cousin has been a tough road for me and all of my family, but we've been getting through it by celebrating and loving one another. No other family should have to go through this. Yet in

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have to go through this. Yet in our own city, time and time again, we see this happening, prop eight and the policies that come with it is a positive step that our city should be taking in the right direction to ensure there is accountability within our police department. It's time for our city to lead the state and what it looks like when the citizen is have proper oversight and input on policing. I urge this council to do the will of the people and implement prop eight as it was drafted when the city was asked to vote on it. I want to thank council member zo for putting this on the agenda and all other supporting council members for co-sponsoring this item, and especially councilwoman harper-madison for her unwavering stance on this. I urge everyone to support this fully. Thank you. Kareithi to fontanesi. >> Hi there. My name is Sarita

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>> Hi there. My name is Sarita fontanesi. I am here in favor of agenda item 99. Mostly I am here to remind council that as elected officials you are all working for community members and back in may the community said that police oversight was something that we cared about that was important and mattered to us. So I'm here just to encourage the council to uphold the will of the people and the folks that you all represent and ultimately work for. Thank you, mayor. >> That concludes all the speakers. >>

Thank you, members. That concludes the speakers. A motion has been made and seconded to approve item number 99. Is there a discussion? Councilmember Kelly thank you. Thank you. >> I appreciate the recognition in just a moment. I'm sorry. I need to pull up my notes here. You know, this is a really difficult item and in light of

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difficult item and in light of the new information that we received and because version two came out yesterday, very late in the day, I've not had enough time to speak to my constituents fully regarding this item. I was just at a meeting on Monday, and it was brought up as a topic of discussion. But things have changed so much I cannot in good faith vote in favor of it with such little time to consider the implications. So I will be voting no on this item. Thank you, mayor. >> Thank you. Councilmember councilmember Velasquez. >> Mr. Mayor, I just want to be shown as a co-sponsor on the item you'll be shown as a co sponsor on item number 99. >> Other discussion before I call on councilmember Harper Madison. >> I'd also like to be shown as a co sponsor and just want to deeply appreciate after the work that we did, you know, those that a brand new councilmember is diving in headfirst into the things that matter most to the community. >> I'm proud of you and appreciate you, councilmember harper-madison will be shown as a co sponsor of item number 99

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a co sponsor of item number 99 councilmember qadri. >> I'll call on you to close. >> Yeah, I want to thank all the speakers who were able to speak and those that weren't able to speak. You know, I always say anyone who's coming to city hall to speak on an issue deeply cares about their community. So we really appreciate it. As a dais. And I just want to highlight again, it can't be said enough. Prop eight passed with almost 80% of the vote and everything that we are looking to implement is legal. And I think there's often been stuff said both on both on social media and in this in this room at times with some speakers that it's illegal. It's not everything that we're looking to implement is legal. So I want to thank, all our co sponsors. Councilmember alter councilmember ravella sorry, councilmember Ryan Walter, councilmember vela, councilmember councilwoman Fuentes, councilmember Velasquez and councilwoman harper-madison . And then, you know, as the mayor mentioned, I know we still

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mayor mentioned, I know we still have to vote on this, but with the new ag ruling, there's a lot of moving pieces. So our office is looking forward to bringing forward another item when we get more clarity, whether that's in the coming weeks or coming months, I'm not sure if it's an evolving situation, but we want to we want to see this through. So with that, I move for adoption. >> There's a motion on

the table and it's been seconded without well, we have one voting no. Is there anyone else wishing to be shown voting no with that? With . Out objection item number 99 is adopted, with councilmember Kelly being shown voting no. So that that that handles 99. And congratulations councilmember qadri and the co sponsors members councilman Kelly was inadvertently off the dais when we took up item number 55. She would like to be shown voting on that item, voting in favor of it. I would move that we as a

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it. I would move that we as a member of the side that prevails on item number 55, I would move that we can reconsider item number 55. So that we may take another vote on that item. You'll recall that it passed on a vote of 9 to 0 with councilmember Allison alter abstain Singh and council member Kelly being off the dice, I moved to reconsider item number 55. It's seconded by councilman pool. Is there any objection? Without objection, item number 55 is reconsidered and I call up item number 55. Is there a motion to adopt item number 55? Councilmember pool moves to adopt item number 55. It's seconded by the mayor pro tem without objection. Item number 55 is adopted with councilmember Allison alter being shown abstaining. Thank you for that. Members there being no further business to come before the

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business to come before the Austin city council at this regular meeting of the Austin city council. Without objection, we are adjourned at 5:42 P.M. Thank you all.