

# City Council Regular Meeting Transcript – 10/05/2023

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[10:00:12 AM]

Good morning, everybody. I will call to order the meeting of the Austin city council. That is October 5th, 2023, 10:00 in the morning. We are meeting in the city council chambers, which is located at Austin city hall 301 west second street in Austin, Texas. We have a quorum present. Councilmember Allison Alter is joining us virtually. I anticipate that councilmember Pool will also be joining us virtually in the morning. But we have a quorum present. I will start by reading changes and corrections into the record. Members item number two, should at the end of it, read Eid instead of a misspell Singh it should read. Chapter. Chapter 303. Instead of the misspelled word items, 21 and 30 are postpone to November second 2023. Members I will still call up item number 30 D even though it has been postponed. And the

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it has been postponed. And the reason is we have someone that has signed up to speak and we will have that person speak on the merits of the postponement alone. Item 28 is withdrawn on item number 29. Withdrawn and replaced by addendum item number 41. Item number 32. Post is postponed to November 30th, 2023 members. I messed up. It's not 30 that I'll call up. It is item 32 where we have a speaker and I will call that item up so that the speaker may speak to the merits of the postponed Swint. For the record, that will be the last time I misspeak today, the order of the day will be that at 10:00 we will have speakers on the consent agenda at the end of that, we will have the consent agenda vote and any remarks from members of the council after at 330 or after, depending upon where we are, we will then bring

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where we are, we will then bring up the Austin housing and finance corporation. We have two pooled items currently from the consent agenda item number four and item number 24 on non consent items. After that, as I indicated, I will call up item 32 and I will also call up item 33 at noon. We will have public communication and live music. 2:00 time certain we will have the zoning matters and take those up at that time and that is the order for the day. With that that as I've indicated, the consent agenda is or the items that you have in your agenda absent item four and 24 and those that I've already otherwise called out, I will turn to the city clerk and ask the city clerk if we have speakers. And if we do, let's call those speakers. >> We do. Mayor speaking on item number two and 23 is Zenobia

[10:03:16 AM]

number two and 23 is Zenobia Joseph. >> Mayor, may I ask you before you start my time to ensure that the clerk has all of the items that are registered for, I have 223 and 32. Yes >> Well, we were going to do is call you up on number 32 because you're the one speaker signed up for that. And that was the one I was just indicating we would call up so that you could speak to the merits of the postponement if you would like to speak on it. Now now you are welcome to do that. But as you as you have noticed that I'm trying to let people speak at the time we bring up specific items if they're not on the consent agenda. However, if it's more convenient for you, please feel free to speak on it now. But speak to the merits of the postponement of item number 32. >> I'll speak on two and 23 and you can call it up. I'm just trying to follow your new procedure and I appreciate you explaining it to me. I missed that part. Thank you, mayor. Council I'm Zenobia Joseph. As

[10:04:18 AM]

Council I'm Zenobia Joseph. As it relates specifically to item two, that is the saint John's avenue project on I 35 and saint John's and I'm asking that you actually strike option three. This particular item talks about the repurchase of the property after 60 years and option three specifies that if you don't choose options, 1 or 2 that the 39 years remaining will actually be with no affordability. So I believe that this is just a gentrification tool like the housing authority of the city of Austin, 60 and 80% area median income acquisition burns and that is above the amount that African-Americans earn, which is approximately \$42,000. I would also ask you to recognize the I-35 expansion and the social determinants of health that will be impacting African Americans that live there. I say African Americans because, as you are

[10:05:18 AM]

Americans because, as you are aware, this is the saint John's project that actually recognizes the black history in the area. That 300 acres that was once owned by African Americans, the Baptist ministers. So there's going to be more pollutants carcinus, gens. And I just want to call to your attention there's at least one study that talks about the systemic literature review, and you can find that online as well. The and I just want to speak briefly to a number 23. That's the Austin transit partnership group, health care and I think we'll just contextualize my comments by telling you that, yes, December 18th, 20, 20 Austin transit partner ship form. But it was, quote, rushed, opaque and lacked public input, unquote. And that was in community impact. And I just want to remind you that it was the political action committee, vice chair or actually the treasurer, Dr. Colette pierce. Burnett and mayor Adler, who

[10:06:19 AM]

Burnett and mayor Adler, who became two of the five members, and Dr. Colette pierce Burnett became the vice chair. So it is disingenuous for you to continue to promote this as an equitable speaker. >> Your time has expired. The other remote speaker has not called so called in yet, so I'll move to in-person. The first speaker is Gus Pena, speaking on item number two. On deck is Mario Cantu speaking on 28. >> Good morning. Welcome Mr. Pena. >> Good morning, mayor and council members. Just for your for you to let you know that there is a fair federal investigator again here and just making sure that everything goes right instead of being profiled by anybody like that guy over there. He was just a while ago. Okay. I don't like that. So

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Okay. I don't like that. So anyway, we're going to put we're going to do that again. Please do that. I'll bring in the FBI again. I've done it before anyway, this number two is having to do with saint John's avenue. Council members. I tell my wife, Carmen, and she knows me very well. I loved more my black brothers and sisters than I am right by hispanics. Mexicano Americanos. Even though I have people that I love and they love me. But the issue is this please do something right for number two. And by the way, Kirk, my wife said to tone it down a little bit, but I can't do it, you know, so don't smile. She said, for you to tone it down, not me. >> Right? >> Both of y'all. Okay, both of y'all to. But anyway, no, it was a negative on my part. It was like that guy right there. Profiling. Still a federal offense. I don't care how you make it or do it. >> Stop it. >> Okay? And I just want to let you all know to get the

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you all know to get the information to the people that really live in that area so they can be part of it. Okay. And that's the way it should be at. And council member Kelly, I love you because in a fashion and a good fashion way, my wife says hello, that you have been very helpful to me when sometimes things are

not going as they should be on this dais and Eid Kirk, we known each other for a long time. I can tell you when we first met with the other other people that wanted to help you out also, so just remember that and Elton she told me to tone it down. I can't do it, you know? So anyway, but just for the record, please do the right thing on item number two. And for the and include the people of that area because they're saying some a lot of people are saying that they're not allowed to speak or attend or they're not, you know, letting them know where the meeting is going to be at. So it's very important because I've been doing this

[10:09:22 AM]

because I've been doing this since saint John's, since 1979. So anyway, I'll leave it at that. And I just want to let you all know that, you know, we have to get together and doing everything. Thank you very much . >> Nice to see you. Thank you. Thank you. >> The next speaker is Mario Cantu, and he registered to speak on the withdrawn item. So maybe he is not here. And so that concludes the speakers for the consent agenda. >> Great. Thank you very much, madam clerk. Members are there any other items that any member of the council would like to remove from the consent agenda? The two items that have been removed are items four and items 24. All right. With there being no other items, let me ask for a motion to adopt the consent agenda as read, council member qadri moves adoption. It is seconded by the mayor pro tem. Is there anyone wishing to be shown as abstaining from the consent agenda as read? Anyone wishing to be shown recuse

[10:10:25 AM]

wishing to be shown recuse themselves from voting on an item? Anyone wishing to be shown voting no? Yes councilmember Kelly. I'd like to be shown voting no on item 22, please. Councilmember Kelly will be shown voting no on item 22. The chair intends to take up the consent agenda minus the vote wrote the one no vote on item number 22 and the two council members off the dice, which I'll announce by unanimous consent. Is there any objection? And I'm going to call councilmember alter. I keep seeing your hand flit. Do you want to say something now, now or I'm going to call for people to speak after we vote. Is that okay? Very good. Is there any objection to the adoption of the consent agenda as read other than council member Kelly being shown voting no on item number 22? Without objection, the consent agenda is adopted with councilman Kelly being shown voting no on item 22 and council member harper-madison and

[10:11:26 AM]

member harper-madison and councilmember pool off the dais. I will now call on people to speak, give brief remarks with regard to the consent agenda. Councilmember Allison alter you're recognized. >>

Good morning. Colleagues, I want to take a moment to highlight an item that I believe reflects true innovation and cross-department collaboration to prevent and address wildfires in our community. Item number 19 is an Austin energy contract that deploys creative technologies. I et-cetera and cameras to identify smoke and other fire signals to proactively and effectively sense fire with wildfires. Every minute matters, and this investment will ensure that we deploy life saving resources as quickly as possible. Thank you to Austin energy and Austin fire department for their efforts to protect our community from these devastating effects of a potential wildfire. Thank you. >> Thank you. Councilmember alter mayor pro tem Ellis. >> Thank you. I appreciate councilmember alter's remarks on

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councilmember alter's remarks on that because I also had a question that we had submitted about item 19 and that largely pertains to what communication is happening between our wildfire division and folks who may not be on Austin energy. And so we'll continue that conversation. But knowing there's folks that are on pedernales electric or bluebonnet or potentially other service providers that are not Austin energy customers, we want to find a way to make sure that those folks also have the ability to not only monitor the way that they can with these cameras, but expand into their purview. Other early warning and early alert systems for wildfire risk. >> All right. Thank you, mayor pro tem, anyone else like to comment on give brief comments on the consent agenda as it was just adopted? Councilmember Kelly, I'd like to thank staff and my colleagues for a short agenda this week. >> I think it's going to be a fruitful day and I just appreciate that. Thank you. We can drag it out. >> Any other comments? All

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>> Any other comments? All right. With that, members, what I'm going to do do is I'll tell you exactly what I'm attempting to do is we're not quite at 1030, so we can't take up hfc at this point in time. So we're without objection item number 30 was a non consent item that has been postponed. I will call up items 32 and 33. Item number 32, as indicated, was postponed. However, we do have a speaker and miss Joseph to speak to the merits of the postponement. So with that objection, I will open the public hearing on item number 32 and without objection, the public hearing is now open. And, madam clerk, I'll turn to you for speakers on item number 32, Zenobia Joseph speaking on the merits of the postponed for item 32. >> Thank you, mayor. Council. I'm Zenobia Joseph speaking on the merits of the postponement of item 32 as it relates

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of item 32 as it relates specifically to this item, mayor Austin strategic mobility plan. I registered neutrally and the reason is because on may 30th, 2023, I actually submitted written testimony in the

context of title six of the civil rights act of 1964, which prohibits discrimination based on race, color or national origin to the planning commission. And my request is for my comments to be forwarded to you when you take this item up on November 30th, 2023. The staff liaison is Andrew Rivera, and I want to respectfully remind you that you put late back up, late back up into your board packets, and I ask this question of mayor Adler on December eight, 2022 as well. And so I'm asking you not to engage in viewpoint discrimination and try to chill my speech, but to treat my comments the same as everyone else. I would ask you to just ask Mr. Rivera to forward all comments, mine included, so that you can actually have that as part of your backup materials

[10:15:30 AM]

part of your backup materials and specific. I included the acknowledgment of Austin's history of discriminatory practices, and that was specific from the atx walk, bike and roll document. And so those are my comments. I don't have a problem with the postponement, but I do have a problem with my comments not being forwarded like other individuals from the community when they submit their written testimony to the planning commission and even zoning and planning at times. If you have any questions, I'll gladly answer them at this time. Thank you. >> Thank you. >> That concludes all the speakers members. >> Without objection, we will close the public hearing related to the postponement of item number 32. Without objection, the public hearing is closed. Postponed I'll now. Without objection, open the public hearing on item number 33. Without objection, the public hearing is opened. Do we have a staff presentation? That's the first question I'll ask. But secondly, if we don't, then I'll turn to the city clerk. All

[10:16:32 AM]

turn to the city clerk. All right, madam clerk, will you let us know if anybody has signed up for the public hearing on item number 33? >> There are no speakers members. >> There are no speakers on item number 33. So without objection, we will close the public hearing on item number 33, and the chair will recognize a motion on item . Number 33. Councilmember Ryan alter moves adoption of item number 33. Seconded by councilmember vela. Is there any discussion? No discussion. Without objection. Item number 33 is adopted members, you're moving in an efficient pace and messing up my trying to get to 1030. So what we'll do now is we'll go to item number four. Item number four, councilmember vela pulled item number 40. Item number four from the agenda, the chair will recognize councilmember vela on item number four. >> Thank you, mayor. If I just had a couple of questions. If the chief Luckritz available, I

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the chief Luckritz available, I see him there. >> Chief, if you'd please come forward. And thank you. >> Thank you, chief. I just wanted to make sure I saw there was an article in the statesman recently with regard to the services that this company provides in the city of pflugerville. I believe they have a contract to do their emergency re 911 response. And there was a very difficult and tragic situation that developed . And I was just wondering what the scope of this contract is and if it's at all similar to the work that they're doing in pflugerville. >> Yes, sir. Thank you. Council member. Thank you, mayor. This contract or this franchise, it's a franchise agreement that we have here is very different from the agreement that they have with the city of pflugerville. We are the exclusive of 911 emergency provider for the city of Austin in the city of pflugerville. They utilize a private ambulance company which is this the same as company allegiance mobile health in this agreement, in our franchise, it

[10:18:35 AM]

agreement, in our franchise, it is strictly for non emergency transportation services. So they supplement the ems system for those calls that are not emergencies usually between hospitals and health care facilities to nursing homes, to doctor's appointments, to homes. And so their services are not addressing the emergency needs of the public. >> Okay. So in terms of the, you know, the services that they're providing potential liability or those kinds of things like that, you all feel comfortable. >> We are very comfortable. They are one of four franchises that we have here in the city of Austin. They're the role that all of these franchises play are very critical to the safe and efficient operation of the health care system. They they ensure that our ambulances are available for the most life threatening and critical emergencies and provide a needed services to residents and visitors that need to be transported to facilities for medical transportation, for things where they couldn't get in a regular vehicle. >> Great mayor. That's all I had. I just wanted to clarify that this was they were not going to be providing emergency services. I have no objection to that.

[10:19:36 AM]

that. >> Right. Councilmember Kelly. >> Yeah. Councilmember villa, I appreciate you bringing that up , because pflugerville is located in Travis county. I'm just curious if you could clarify for us why they do not utilize Austin Travis county ems for their services, the there's a significant amount of history that happened, and some of it predates me. >> So I would I would hate to speak out of turn, but there was a decision that was made several years ago to transition the city of pflugerville away from Austin, Travis county ems and utilize it. At first, the local fire department and now the city has contracted a private ambulance company. And that's about the extent of the knowledge that I'm comfortable speaking about. But I certainly can connect with you and connect you with the right folks that might be able to give you more history. >> That would be great. I'm definitely interested in understanding that history as we move forward and make decisions. And I do feel comfortable providing a contract to this company for non-emergency skills , especially in light of the information that you saw in the newspaper. I know that ambulance

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newspaper. I know that ambulance services and those that provide those services, if they are not in it all the time, then they tend to lose the skills to utilize emergencies. And I have full faith and confidence in our system to provide that care to the community. So thank you for raising that concern.

Councilmember thank you. >> Council member is there a motion to adopt item number four?

Councilmember vela moves to approve item number four, seconded by the mayor pro tem. Any discussion on the item? Without objection. Item number four is adopted with council member Harper, Madison and pool off the dais. For the record, let me be clear that on item number 33, while it passed without objection, council members harper-madison and pool were also off the dais. The chair now calls up item number 24 and we'll recognize councilmember Fuentes, who pulled item number 24. >> Yes, thank you, colleagues. I wanted to this item is setting the schedule of council meetings for 2024. And I wanted to have some reflection here to ensure

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some reflection here to ensure that these dates align with the necessary capacity that we'll need as policy makers to consider the items that come before council. So I have a couple of issues I want to bring to your attention. And of course I want to ask staff for some clarification. One thing I wanted to highlight is on may 30th, we have a council meeting scheduled and that is a short week for us. That comes on the heels of memorial day. It shouldn't you know, I tend to think that having a council meeting on a short week is tough for staff. But I'd like to hear from someone, from staff, perhaps acm Briseno you could speak to it. >> Ms. Briseno we have our agenda manager, Katie powers, walking to the podium and I think she can address the question specifically about that week. >> Thank you. >> I'm Katie powers, the council agenda manager and, and when we put together the schedule, we have a lot of competing things

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have a lot of competing things to consider and specifically for that may date we did realize that the 27th is memorial day. However, we wanted to still be able to give you your normal number of weeks of budget preparation, time and council break, which is typically about six weeks. So if we are returning back in mid-july for budget and our first council meeting, if we count backwards six weeks from that was may 30th. So it was just a balancing act between preserving that amount of time and then also working with memorial day. So we do have the option of pushing it one week forward into June, but that does cut into the break. So happy, happy that's acceptable to city staff. >> Yep. Okay the other issue I wanted



to raise is this past year we had a council meeting during that budget season. So for this calendar, the city manager will unveil his proposed budget on Friday, July 12th. And

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budget on Friday, July 12th. And that for us, this past year came, you know, late Friday afternoon and I believe hard copies were delivered to our offices. And so then the following week we had a council meeting and I remember thinking how challenging it was to dig through this budget with hundreds of pages and then also prepare for a council meeting that was quite stacked. In fact, I remember over 100 items were on this council meeting. We ended up pulling and delaying or postponing items. So colleagues, I wanted to open that up for conversation. If we wanted to have a council meeting amid budget season and with. The city manager proposing the budget on July 12th, that gives us five weeks from we from when we are proposed to adopt the budget. So does it make sense for us to have a full council meeting amid budget deliberations? The other item I wanted to flag is I might, I might just while she's here before you go to another item, as I understand it, part

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item, as I understand it, part of the reason to do that was to make sure that we didn't have a gap on things that if there are contracts or things that need to be adopted Ed we would have the opportunity to pull that to do that and pull that off and not wait where we run out of time on something. >> The key will be and I think you've pointed it out well, well, and that is that staff as it is going through the agendas and the meetings doesn't create an agenda that is so stacked that. It ought, in my view, that can be and ought to be done. And I think in conversations with staff and with the budget office, there's a recognition that that needs has to be done that way. So I don't anticipate that being a problem. But the reason it's there and it can always be canceled. Ed but the reason it's there is so that we don't find ourselves where we have to do something, the city has to do something and we don't

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has to do something and we don't have a meeting scheduled. Okay? >> Yeah. I would just recommend if you do change that date that we move it up instead of getting rid of it. Because if we remove it entirely, we'll be going almost two months between council meetings. As you pointed out, that July meeting and the August meeting are usually fairly large and it's just simply a result of having large breaks between meetings because we do still need to get the business of the city done so. But again, happy to do what council prefers. >> Well, yeah, no, that makes sense. And I do just, you know, when we're scheduled for work sessions or any budget open meeting, we can always post items for consideration during any of these dates highlighted in green. But I you know, with I think as long as we have an understanding that

we wouldn't have, you know, controversial or substance of policy deliberations during that time period. And if we hold that date for those more procedures or contractual items, then I think we're we're good on that. Councilmember

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Councilmember >> We will we will do our best to attempt to do that. But to Katie's point, when we have a six week break in council meetings, sometimes we cannot control that. And so we will do our best to have that agenda be as light as possible. But we can't guarantee it per se. And I would add, on the budget meetings that we have scheduled and we have our budget officer here, we do try to keep those meetings to purely budget discussion and not normal city business so that that the council's focus can be on the budget. Good deal. >> Councilmember Allison alter and then councilmember Kelly, thank you. >> I think that that July meeting is really important, as we've said, for this business and year after year. It's been a tough meeting. I think that it's not only on staff, the responsibility if we don't want that to be a tough meeting. We had a very large item on land use and several from colleagues in this July meeting that made it more difficult. And so if that's something that we want to try and achieve as a council, then we also have to be

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then we also have to be responsible for not submitting items that are going to be particularly demanding for colleagues to address during that period. And then at the appropriate time, mayor, I had another suggestion, but it sounded like council member Fuentes might have had a third item. >> She has something more and councilmember Kelly, I'll recognize you. Thank you. >> The July 15th through 19th that week. I will be unavailable. I am getting some continuing education with FEMA. And so that is a time where I won't be here. If you guys want to put anything crazy on the agenda without me, that'd be the time that'd be the time. Okay. Thanks everybody. >> Please make note. Staff we got it. Thank you. Councilmember councilmember Fuentes. The chair recognizes you again. >> Thank you. And this question is for you, mayor. This might be premature, but I guess should we start having the expectation, you know, this year's budget or maybe this is a question for the city manager? The last year we had what I think worked out well

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had what I think worked out well in the budget process is having a day where we considered a amendments so with this budget timeline laid out, is it safe to assume that that amendment layout time would be either August 6th or August 8th? >> I'll be honest with you, I have not looked at it with that level of detail. I try to stay ahead, but a year plus, I'm a little behind on that. But yes, the plan. Would be

and the way we worked the and there's a lot of work. And by the way, I should recognize my chief of staff, Colleen pate, for the amount of work she's worked with city staff to try to come up with this. But, yes, the idea was to have enough dates during that period of time to replicate the successes or or good things that happened during this budget cycle to make it go as smoothly. So count on that. I just but I haven't sat down and done those dates yet. I would want to sit down. Well, she may have knowing her, she knowing her, she has.

[10:29:49 AM]

her, she knowing her, she has. >> Good morning. Council Kerri Lang budget officer. Yes the sixth and the eighth are the days that we were looking at when we were working on the calendar. We thought that those days replicate how we did the budget process this year and so either the sixth or the eighth are the days that we considered would be for council to have those discussion days and is staff's recommendation to do a similar process like yes, okay. >> And so colleagues, I flagged that because then we would be we'd be receiving the budget on July 12th and have about three and a half weeks to get our amendments in. You know, we of course we can bring an amendment at any time. We have that authority as a council member to introduce an amendment. So I just wanted to surface that as a point of consideration. >> That's good. Thank you, councilmember Allison alter. >> Thank you. I wanted to suggest that we put a budget work session item on July 30th. We can always cancel one of those other, work session

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those other, work session sessions. But that I believe that it. It is better to have the earlier sessions for discussion and raising issues. Luz. And I'm pretty. I think it would be much better to have that on our calendars and cancel one of them later for the budget process. If we do have hearings on days that we have hearings which would be really the only ones we had before we got two amendments, we don't tend to deliberate quite as much, depending on how long those sessions are. So I would like us to add a work session for budget on July 30th, knowing that as we did this year, we may end up canceling one of the four that happens in that in those two weeks. I also would like to have clarity on when we are planning to have our budget hearings and how we are going to accommodate folks who cannot be here during

[10:31:51 AM]

folks who cannot be here during the day. I think there was a lack of clarity for people who couldn't come after 6:00 as to when they would be able to speak to council. And traditionally we have tried to do that. I think we did try to do that this year with a 3:00 hearing and then allowing it to go over into dinner. But I

don't know if that was particularly clear to the community. So I think it would be good to have that, stated on the budget in the, in the calendar documents. It's easily as clearly as possible for folks , if I might address that. >> The last part of what you're talking about, what we can do is once we once we know what our calendar is, go in and fill in the blanks like that so that there is that clarity, as you point out, appropriately, there was an effort to do it at different points in time so that people would create convenience . And we learned some things from that. I think. So we ought to look at this once we've

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to look at this once we've adopted it, we can look at that and figure out how best to make clarity and maybe do it further in advance because we know we're going to do that, particularly based upon this suggestion and put it on the website and otherwise provide notice in that regard. So thank you for that comment. We'll make sure that happens. >> As can I. I just want to continue, if I if I might just add one other thing. >> I think answer your previous part of our discussion. >> So sorry, I can't see in the room. >> Yeah, no, I know it's hard to do from there so yes, I just wanted to clarify if the if the council will if it's the council's will to do a session on the 30th, you know, staff will be prepared for that. >> I think that flexibility allows for you all to have discussion if that's what you will want to do. And we'll just make adjustments in our planning for presentations based on the dates that you all finally set for those budget work sessions. >> All right. Thank you.

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>> All right. Thank you. Appreciate the comment. Councilmember Allison, you're recognized again. >> Thank you. So one of the reasons I think the 30th is important is if the 24th presumably would be a day that we might you know, that's our first discussion day. I think that when we asked I believe that was one of the hearing days . So then we would have our next hearing we have to have on the first, because I think that's when the tax rate is adopted. And so otherwise we have no day that's simply devoted to having a discussion about the budget amongst ourselves. I know for me that when I prepare my amendments, it's really helpful to have the discussion. So I definitely think it would be important there. But I'm I again, I would love clarity on, you know, when we're having the hearings so that we know that as well and we can understand how our days are going to be planned if it's a 6 P.M. Hearing and we're going to still have a work session, which I think we should

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session, which I think we should on those days, it's just helpful to have some clarity sooner rather than later on those great. >> Thank you. Any other comments ? What? Yes councilmember Vella , just a couple of comments. >> We have a meeting on election day that November. And I just wanted to

highlight that. >> Oh, no, it's there's no work session that day that. >> Oh, excuse me. Sorry. Katy powers agenda manager, that November 5th day is preemptively canceled. We would have one on the Thursday, but we would not be planning to have a work session. >> It may be it's lighter blue. So when you look at when you look at your calendar, it's lighter blue. And I can see why you might look at that and see that that way. So thanks for pointing that out on the chart, which is the official exhibit. >> It is not listed. Okay >> Yeah, we're not having one on election day. Okay >> I just wanted to know.

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>> I just wanted to know. >> No, that's. Yeah clarify that. >> And then the other concern would just be coming into that first meeting on the 18th, the deadline for ifc's on that meeting, because the deadline would be. Oh, lordy. Hold on just a second. If we could. Hopeless. >> Hopefully you're going to take a Christmas vacation and not be doing ifc's. But that's all right. >> But if the could we. Have January 8th as the deadline for ifc's on that one to give us a little bit of time coming out of new year's so that you know we're not working through that kind of a Christmas that was the only. Yeah >> Now the January 18th meeting does create some challenges with Christmas break for staff items as well. So what we were kind of administratively anticipating doing is actually actually posting the agenda on July 12th instead of, I'm sorry, July, January 12th, instead of January

[10:37:00 AM]

January 12th, instead of January 5th. So we would do a one week posting. We have done that in the past when Thanksgiving kind of gets in the way and so then in that case, your ifc deadline would actually be January 10th. Okay no problem. >> That's that's good. >> Those are the only two comments I had. Good >> Thank you. Other thoughts? Yes. Councilmember Kelly, I just want to say thank you to city staff for exhibit a. >> There are individuals in my district who've reached out to me. They're colorblind. So it's very hard for them to read the actual calendar. And so the exhibit was very helpful. >> Mayor pro tem, I'll just say on the note of coming back in January and having that short posting period, just please have some grace with council and with staff because sometimes we may be coming with questions. >> You know, during the work session that haven't been pre-vetted, just given that timeline. But I think we can all get through it if we work together. Yeah >> Councilmember Allison alter. Thank you. >> Speaking of the Thanksgiving, if we could, get the November or the, the posting for the

[10:38:01 AM]

or the, the posting for the first meeting post Thanksgiving a little bit before the Friday before Thanksgiving. That would be really helpful for this year for this year? Yeah, for this year. >> I'm trying to think ahead. I have my brain on 2024, but we will get you the agenda sooner than Thanksgiving or at

least a chunk of the agenda like if it's not all there. >> But if we can have a good chunk of it, that would be really helpful because otherwise we have the week of Thanksgiving and then we go right into the to the council week. And so to the extent since we think we have extra weeks beforehand, free, it would be helpful if we could have some a little bit earlier. >> We will do that. Thank you. >> Thank you councilmember members the chair will entertain a motion to adopt item number 24 with with July 30th as a budget work session with councilmember

[10:39:02 AM]

work session with councilmember Allison alter pointed out the potential for canceling but but putting that on that's the one change in the calendar that would be added or made July 30th, a potential a work session that we will pay attention to as we go forward. Is there a motion motion is made by councilmember Fuentes. It's seconded by councilmember qadri. Any further discussion on without objection, item number 24 deals with July 30th added is adopted with council members. Harper-madison and councilmember pool off the dais members without objection, I will recess the meeting of the Austin city council and I will now call to order the meeting of the board of directors of the Austin housing finance corporation. Ann. It is October 5th, 2023, 1039. In the morning we are meeting in the city

[10:40:03 AM]

we are meeting in the city council chambers located in Austin city hall at 301 west second street staff. If you don't mind, please walk us through the agenda. >> Thank you, Mr. President. Good morning, madam vice president. Board of directors. My name is Jamie Mae. I'm the housing and community development officer with the housing department. On your board of directors meeting agenda, you have two items. First is the approval of the meeting minutes from August 31st, and the second is the authorizing action of the formation of a pleasant valley nonprofit corporation. This is an instrumentality of the Austin housing finance corporation to own and operate the pleasant valley 96 unit multifamily rental development. This was recently issued as an rfq and awarded and we will be pursuing construction relatively soon. This would also authorize a ground lease for that property and I'd offer both of these items on consent. >> Members you've heard the consent agenda has been read. I'll turn to the city clerk and ask if there is anyone signed up to speak on the consent agenda.

[10:41:03 AM]

to speak on the consent agenda. >> Yes, we have one. Speaker on item two Zenobia Joseph. Thank you, mayor. >> Council directors. I'm Zenobia Joseph and specifically my comments are related to the fair housing act of 1968. This project does not affirmatively further fair housing. It's specifically a 60% area

median income and below. And I want you to recognize that you still have a smart policy and the M stands for mixed income. And I would ask you to recognize that low income individuals deserve more than a one story building. This is five floors, five stories with an elevator. And so it may give the developer a good return on investment. But this is not going to improve their quality of life. My question is specifically, is it as it relates to non profit corporation with no members, I wanted to know when does Mandy Demayo actually decide when to

[10:42:05 AM]

Demayo actually decide when to form these nonprofits? How does the public benefit if there are no members? And I would ask you to be transparent. I want you to recognize that this particular property is within the Mendez middle school area and Mendez has habitually failed to meet state standards. And so concentrating more poverty in this area is not going to help the students there. It's 87% hispanic, 9.3% black, according to the Texas academic performance report, it's 0.7 miles away from this development . That school is run by Mike miles. Third feature schools, which is the one who took over the Houston ISD school district . I want you to recognize as well that it is a bit disingenuous as pharaoh is mentioned in the backup materials. But that was 51 permanent supportive housing units and then it switched to 101 out of 171. I would just say to the public, if you're

[10:43:07 AM]

to the public, if you're frustrated with these opaque decisions, the Texas comptroller's criminal investigation division email addresses, Cid at cpuc's dot gov and they will investigate any of the tax payer issues that are affiliated with these nonprofits. And so I would just ask the mayor to do the right thing. 2.5 acres with 96 unit is thank you. Not going to improve the quality. >> Thank you. >> That concludes all the speakers members. >> There's no one else signed up to speak on the consent agenda. Let me ask, is there any item that a member would like to pull while we. Can pull the minutes? If you want, but we'll. Anything else to be pulled? Anyone wishing to abstain from the consent agenda as read anyone wishing to be shown recusing themselves from a vote on the consent agenda as read. Anyone wishing to vote no. Councilmember Kelly will be shown voting no on item number two. Thank you. >> You read my mind.

[10:44:08 AM]

>> You read my mind. >> I thought you probably helped . The minutes were okay. Members. Anyone else wishing to be shown voting no? All right. Is there a motion to adopt the consent agenda as read mayor pro tem, seconded by councilmember vela. With that Burt, is there any more discussion or any objection to the adoption of the consent agenda without objection, the consent agenda is adopted with

board member Kelly voting no on item number two and board members. Harper-Madison and Pool being off the dais. There being no other business to come before the Austin Housing Finance Corporation board of directors. Without objection, we will adjourn that meeting and call. I will call back to order the meeting of the Austin city council members. The next item on the agenda for the Austin city council is a time certain of 12:00 noon for public comment without objection, we will be in recess for public comment until

[10:45:10 AM]

recess for public comment until 12:00 noon for public comment members. What I anticipate that will happen and for the public to paying attention to this, I anticipate we will come back at noon, promptly at noon. We will hear from those who have signed up as part of public communication. We will recess at that time, although we will hear our live music. But we will recess until 2:00 pm when we will take up zoning items with that objection, we are in recess until 12:00 noon. Pm. I am mayor pro tem Paige

[12:01:19 PM]

Pm. I am mayor pro tem Paige Ellis and we are going to get started with our public communication and we are out of recess. >> Okay. We currently don't have the remote speakers present, so we'll go to in-person Ann first speaker is Carol Frazier. >> Good. Good afternoon. Council members and mayor pro tem. My name is Carol Frazier and I'm a resident of district one. I'm also a former city of Austin economic development department employee, and I'm currently a professional climate action planning consultant. So I speak today from both a personal and a professional perspective. In short, the I-35 expansion is a bad project for Austin, and it's a bad project for our future. If it is allowed to happen, it will cause excruciating congestion in the short term as the center of our beautiful city is torn up during construction on our

[12:02:20 PM]

during construction on our amazing Lady Bird Lake trail will be severely disrupted. Eid. And in the long term we will have more cars on the road, more particulate matter in our lungs and a much warmer climate. And I'm sure after this long summer in drought, that is the last thing that we all want this planned expansion completely undermines our city's mobility goals and climate equity plan. It also leaves hundreds of millions if not billions, of dollars on the table in terms of lost property tax revenue and sales tax revenue at the very least, we need a highway remediation, not expansion Ann and one that allows valuable downtown property to be used to fuel Austin's economic development in the form of housing and businesses. The current plan will cost us in time, money, land and health that doesn't seem like a good economic strategy to me, but it's not up to Austin city council. I know we need you, our



city leaders, to stand up for us and oppose this project in the only venue that matters. Campo. We need you to fight for us and lobby the entire region to stop

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lobby the entire region to stop this project. Because it is bad not just for Austin and not even just for our region, but for our world and our grandchildren's world. What will you do to ensure that all members of the campo board take unanimous action to stop this project? What will you do to ensure that our representatives in Washington take action to stop this project? We are waiting and watching for your answer. Thank you. >> Next speaker is Jordan Middlebrooks. Hi there. >> Thank you for the time today. I'm here to testify against the I-35 expansion Ann. And like some of the other speakers have said, I understand that this decision is not simply in Austin city council's control. However, I am asking for you all to advocate, urge and influence the folks that do have that decision making power to stop the project. I am all for increasing public transit and public mobility. I definitely see many

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mobility. I definitely see many gaps in how we have multi-modal transit today. And so instead of increasing the heat jungle that I-35 will be and displacing many local businesses, many affordable housing when we're already in a crisis. I'm asking that you all work together to get this project stopped, get it canceled and then we can use that time to reimagine what I-35 could be for us both now and in the future. I waive the rest of my time. Thank you. >> Next speaker is. Is Heinz Mandel. >> Good afternoon. Imagine your friend is planning a massive birthday party. He decides he's going to invite everybody like the entire state of Texas, whatever. And he's going to drop \$4.5 billion on free beer for everybody. Now, you're a bit concerned about that. So you ask your friends to at least

[12:05:24 PM]

your friends to at least consider one alternative plan. You know, for comparison, he offers you the following. He's still going to invite everybody and still going to promise the \$4.5 billion worth of free beer. But in this scenario, he won't actually provide the beer and just see what happens. Instead sounds absurd. Yet yet this is exactly what txdot did in the fees for I-35 central in their modeling. They invited hundreds, hundreds of thousands of additional free vehicle miles traveled excuse me, onto their massively expanded highway and then to assess environmental impact. They compared that scenario not to an actual sustainable alternative, but to the same scenario with the same increased vehicle. Miles traveled just this time without the expansion that enables the vmt increase in the first place and guess what? They found that it would be terrible traveling through central Austin would take three hours, 43

minutes during rush hour in 2045. Go figure. This baseline scenario is a spit in the face of future generations as it is entirely unrealistic. Mok. No one would

[12:06:25 PM]

unrealistic. Mok. No one would drive under such conditions. Instead, growth would happen elsewhere and people would mode shift, embrace transit, telecommute. Et cetera. Tech X does. Tex dot knows that. But they are using this deceptive baseline as a to fearmonger and B to greenwash them massively and sustainable project for if you compare its projected emissions to totally unrealistic permanent monster gridlock, turns out they actually look pretty good. Ironically there are self-described realists who are willing to forgive Texas shenanigans, since at least the project is going to finally fix congestion right? Except, of course, it absolutely won't. Campos modeling shows that Texas modeling shows that independent experts have confirmed that. And Texas district engineer tucker Ferguson acknowledged right here at city council. At city council, quote, we are not pretending to say that the expansion is building our way out of congestion. And yet Texas continues to sell the project just like that. Joe buck, for example, called I-35 capital express, quote, the absolute

[12:07:25 PM]

express, quote, the absolute signature project of the Texas clear lanes program. So what if we spend \$4.5 billion on actual solutions for start, say, rerouting I-35 to sh 130? We all know txdot says don't bother based because only 18% of traffic on I-35 is non-local. I did the math though, and 18% that's almost one fifth of in other words, on a 20 lane highway we could do with four fewer lanes. Boom just like that, less displacement and separation money saved on right of way and construction that could then be put towards actually funding the now more affordable caps. Of course tex dot says to reroute, they would need a waiver to remove tolls, which is quote usually only done for a temporary scenario such as a construction Ann. But guess what? This is not the time for business as usual. So I trust you all. One second. I trust that you all know that. Please insist with everything you got that tex dot finally start acting like it too. Thank you. >> Next speaker is cedar Stevens , followed by kiba white. Annie

[12:08:29 PM]

, followed by kiba white. Annie stokes. Go >> Sorry, I didn't realize I was being called up right now. Hi, my name is kiba white. Thank you for the opportunity to speak. I work at public citizen's Texas office and I'm here to talk again about the fayette coal fired power plant that Austin energy co-owns with the lcra. I understand y'all are going to be having another executive session soon to discuss the status of those negotiations with Austin energy staff and I wanted to offer some suggestions for things that I think that

you could ask in that executive session. Ann of course you should be asking for the most recent offer from the lcra. Some of you probably have not seen that yet. And if possible, try

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that yet. And if possible, try to get that in writing. So that there's no kind of miscommunication there. How much money was lcra asking for? What other terms might they have been asking for? And what issues did Austin energy perhaps have with those terms? This will give you some information so that you can do some analysis yourself to make your own decision because you all are the decision makers. A rey impact analysis. This is something that I hope that Austin energy has already done based on the last offer from lcra. But if they have not, you should ask them to do a rey impact analysis of the amount of money that lcra was asking for. And it is critical that you ask for that. Not only to be an impact in the immediate, but ask what are the options for spreading that over? Say a period of 25 years? Like other utilities have done when they're shutting down coal fired power plants? Of course, trying to have rate recovery in a short

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have rate recovery in a short time like 1 or 2 years would make the cost perhaps unaffordable to residents. But if you spread it out, it may not be. And how does this compare to Austin energy's goal of keeping rate increases to 2% per year on average? You should also ask for a carbon impact analysis and cost of carbon analysis. Rather, how does the cost of reducing the emissions over, say, the next ten years from fayette compare to the social social cost of carbon as calculated by the EPA? Those costs are significant and it may be that actually this is not such a bad deal. After all, when looking at the cost of climate change, you should also be asking about the status of negotiations. When was the last meeting? When is the next meeting? What can be done to get that those negotiations back on track and what is the Austin energy approach currently

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Austin energy approach currently to voting on the fayette management committee? They have a 50% vote on that committee and that committee decides all budgets and capital expenses for the shared fayette units. That's a significant power right there. That means that without Austin energy's vote, budgets are not approved. So are they going to. I'm wrapping it up. Will they vote no on budgets and capital expenses going forward? And critically, why are they not bringing those budgets to council before they vote on them? Thank you. Go ahead. >> Council member vela, a quick question. >> What do you think about the reach program, the little carbon matter that that Austin energy has used over the last handful of years? How do you what do you think about that? >> I think it was a good solution

when it was implemented. The intention Ann was for that program to be applied to fayette until the plant was shut down at the end

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plant was shut down at the end of 2022. And I think that was a good strategy for reducing emissions in that interim kind of timeline. The plan was for reach now to be applied to the gas plants, which my understand is that that is not happening because they're now still applying it to fayette. So it's time has kind of passed. And so I would suggest that in the interim, before the plant or Austin's portion of the plant can be shut down instead of setting some sort of limit on the amount of kind of avoided revenue. Austin energy should just be running it at the minimum that they can under the contract will also pursue other options for trying to get negotiations back on track like you're speaking about the fayette like in terms of instead of just doing the reach, just run it at the bare minimum, that would satisfy the terms of the. And so that would be about, I think, 150mw. And so that if you just set that as we're going to do that all the time, you know,

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do that all the time, you know, then then you don't really need to do this calculation Ann that goes into reach of how much revenue is being avoided. That's that's right. Now, how they're determining how much higher is the reach than the 150mw. >> In other words, what are we running it at right now versus what would be the bare minimum? Do you that's a tough question. >> I know, but it's not a huge delta because the 150mw is about 25% of the whole. So that's that's about the minimum that you can go under the contract and they're running it at 31, 32. Now so I think it's not a really big ask to make. >> Got it. Thank you. >> Thank you. >> Cedar Stephens is Annie stokes. Dale Beulah. >> Good afternoon. Council my name is Dale, Beulah. I'd like

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name is Dale, Beulah. I'd like to talk to you also about the fayette coal plant. Some of you may or may not be aware or perhaps people listening today may or may not be aware that the fayette coal plant is the 14th dirtiest plant in our entire nation. Air pollution from coal fired power plants is linked to asthma, cancer, cancer, heart and lung ailments, neurological problems, acid rain, global warming and other severe environmental and public health impacts. And it's not just air pollution. It's also groundwater pollution. The fayette plant is among the us environmental protection agency's list of potential damages damage causes which indicate that it's potentially polluting our groundwater surface water at levels which threaten human health and the environment. Our utility is actually making its own customers sick

of coal's many environmental impacts. None are as harmful long term as the irreversibility of global warming. Global warming is

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warming. Global warming is driven by emissions of heat trapping gases primarily from human activities that rise into the atmosphere and act like a blanket which warms our Earth's surface. Fayette is responsible for 72% of Austin energy's carbon emissions, but only generates 13% of its total power or it's the fourth, fourth largest greenhouse gas emitter in the state of Texas is ozone action. Days are a pretty good indicator that we are not making much progress. Whenever I bring up these issues, the response usually is, oh, what about China ? What about India? You see, I can't do much about those countries, but I will continue to try to do something about the utility that I feel I'm responsible for. I hope you will as well. So Chris flores. Good day.

[12:16:47 PM]

Good day. >> Elected officials, I'm asking you today to authorize a citizen review committee for the 2018 Barton bath house rehab plan and the 2023 zilker cafe contract. And for this group to report back to you, please do this to honor the people who have worked at the pool for years preparing it for storms, cleaning it up and saving lives. I suggest the committee be formed of swimmers and lifeguards. Basically, people unaffiliated with the entertainment industry or the parks managed group. Think of it please, as a neutral cautionary quality check before the project breaks ground. Thank you very much for your consideration. Nova Jones. Yes, thank you. >> Good afternoon. My name is nova. I'm a resident of district four. I use they them pronouns and I am a Texas field organizer

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and I am a Texas field organizer with the environmental nonprofit Sierra club. I'm here today to talk about the fayette coal plant and its impact on our communities in the central Texas region. Most importantly, I want to share how the community has already been engaged and mobilized to ensure the coal plant is retired and replaced by clean energy resources. Some of you may actually be familiar with the public power block party that Sierra club hosted just a few weeks ago. On September 24th. In fact, we were proud to have council member Ryan alter attend and speak with members of the community about the future of energy in Austin. At this event, like we have more than 80 members of the community, me and nearly a dozen partner organizations come together in solidarity just to address our shared concerns about utility rates, the resource planning process, climate change and the delayed closure of the fayette coal plant. That brings me to the reason why I'm speaking before you all today.

Last December, the city council agreed that Austin energy needed to revisit the resource planning process and present updates to the plan that would continue into 2030. A

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that would continue into 2030. A significant reason for revisiting this plan is the fact that Austin energy did not cease operating portions of its portion of the fayette power project coal plant by the end of 2022. As I was explicitly stated in the original plan in the past, the resource planning process has actually included a collaborative effort between Austin energy and the electric utility commission and a working group involving other community members of Austin area. However the most recent resource planning process that started just about a month ago is being conducted in a more siloed manner because of Austin energy's reluctance to collaborate, collaborate with the working group and develop updates with our community. So have some questions about this. How could our public utility be allowed to exclude itself from direct community input when it has failed to accomplish the goals set in the resource plan? Why are they not taking accountability and being transparent about their reasons for not meeting these goals? Should we not consider that lack of transparency and exclusion of community voices inequitable and

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community voices inequitable and more importantly, why are Austin energy customer rates increasing without any clear indication that our utility is taking actual strides to retire this coal plant and improve our access to clean energy resources ? In fact, the report from the guardian earlier this year explained how coal is unequivocally more expensive than wind and solar resources. And it's also responsible for 60% of planet heating emissions from electricity generation. We all know the impacts of climate change and their fatal severe winter storms. Weeks of 100 plus degree weather, our transmission failures and other power outages have resulted in lives lost in our community is completely fed up. So we are mobilizing. The public power block party was just the start of that organizing effort. We are bringing people together to demand more from Austin energy and the city council. We are intervening in the resource planning process, canvassing across the city, building a larger coalition throughout central Texas and asking that our council members make decisions in solidarity with us. We ask that you all take direct

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We ask that you all take direct action, your time has expired. Coal plant to address the many issues that led to a recent deadly power outages and to develop a more equitable decision making process for austinites for electricity. Thank you. >> Thank you. >> Next speaker is Virginia Raymond. That concludes all the speakers. >> Fantastic. Thank you much. Thank you very much. Clerk it is 221. I'm going to go

ahead and recess the meeting we do have a musical performance by Matthew Robinson, so please stay in chambers and enjoy the music that is going to be presented to us. And then at 2 P.M. We will come back time certain to take up our zoning items. I believe the mayor will be back at that point in time. Joined here. Council member

[12:29:35 PM]

Joined here. Council member chito vela, Matthew Robinson was born and raised in east Austin. He started as a vocalist and went on to learn guitar playing. First in east Austin and then performing all over town, as well as international only. His signature guitar sound and gutsy, gritty voice are trademark sounds in the Austin music scene. Matthew Von Austin blues society's lifetime achievement award as lead singer for the mustangs. Matthew opened for Jimmy reed. James brown, big mama Thornton, Johnny winter. Dr. James Polk. Et cetera. He headlined in the uk, Holland, Brazil and Japan with his band the Texas blues band. Matthew Robinson recorded six albums and proudly represented Austin blues society in Memphis for blues foundation's international blues challenge. I will now read the proclamation 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

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music scene thrives because 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. I Paige Ellis on behalf of Kirk Watson, the mayor of the live music capital of the world, to hereby proclaim October 5th, 2023, as Matthew Robinson day. All right. >> Oh, yeah. I like to think that Austin city council for this honor. It's my pleasure. We are losing a lot of our places on the east side to play and perform. Austin is a great city and it's moving on up. We also need to make sure that our places to play the blues are on the east side. Even the hispanics part of town. We're losing our places. If y'all can help us get at the table to make it better for the musicians so

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it better for the musicians so they won't leave and go somewhere else because Austin is so great. If you could help us get to the table like that, we would appreciate that very much . Thank you. Before we get started, I'd like to thank my manager. I'd like to thank my Matthew Robinson band members. I like to dedicate this honor to my great granddaughter, Emily Ann reed. Yeah thank you so much . Got more, got more.

[12:37:26 PM]

Got more, got more. >> That's fantastic. Tell. Tell us where we can find you or are you on Facebook, Twitter, Instagram? Where can we look you up on all other things? >> But you can look under the Barbara Luna management. She's out there. That's my manager. All right. And we have a last Saturday of the month gig at c-boy's. And just you can find us everywhere. >> Fantastic. Thank you. Well thank you so much for coming and sharing your music with us today. And thank you for everything you do in our community. We really appreciate our local artists. >> Thank you so much. It's my pleasure. Here we go. Let's take pictures. >> Thank you. Great.

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>> Thank you. Great. It's 2:00 pm and I will call the

[2:00:13 PM]

It's 2:00 pm and I will call the Austin city council back to order. >> It's October 5th, 2023. As I indicated, it's 2:00 and we're continuing to meet in the council chambers at city hall and the next item is for our time certain, which is related to zoning. And I'm going to call on staff to talk to us. >> Good afternoon, mayor and council. I am Eric Thomas with the planning department. >> And why are you talking to us instead of George? >> I am joy's mini-me for the time being. And you might be seeing more of me. >> I see her in the room. >> Are we trying to hide something? We're training on the job. >> Training. Joy will not be at a future meeting and so we're making sure that he's ready to go. >> So this is your first time to be in front of us like this? >> That's correct. Well so far, you're really doing great.

[2:01:16 PM]

you're really doing great. >> Thank you. I appreciate that. >> We don't always haze staff when they come up to the podium. >> Well, I just want you to know it's really not a hazing of you. But miss harden indicated that I should be nice to you. And so I'm just trying to do as she asked. >> Great. >> All right. Now that everybody's out of order, it's okay. Please continue. Like I say, so far, so good. >> All right. Well, with that, your zoning agenda begins with item number 34, c14 2023 0076. It's known as three men movers. This item is being offered for consent on all three readings. Item number 35 is c8 14 2008 0136.02. That's the north Austin medical center pud amendment. This item is being offered for consent on all three readings. Item 36 is c-14 2022 0174. This is 2700 south Lamar. This item is being offered for consent on all three readings and the related item is item number 37



[2:02:16 PM]

related item is item number 37 c14 2023 0036. These items were postponed at the neighborhood's request at your August 31st meeting. I'll note we do have three oppositional speakers for these items, but we are ready to offer for consent on three readings. The applicants request for this is to rezone from vco and gr muco to gr movico and cs movie co. The lifting of a condition that again yes, the applicant's request is to rezone from gr vco and gr co to gr movie co and cs movie co. >> That's a little different than the first time you said it, but that's okay. Okay >> The lifting of a condition will allow vehicular access to skyway circle and that was prohibited before staff and the planning commission both recommend the applicant's request. Moving on, item number 38 is c14 2023 0066 at 6905 Westgate boulevard. This item is

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Westgate boulevard. This item is being offered for consent on all three readings. Item 39 is c-14 . 2023 0051. The 7938 great northern rezoning. This item is also being offered for consent on all three readings. That brings us to item 4814 060106.03, which is the Hyatt west pud amendment. Austin water has some recommendation on this project. However, the recommendation will be addressed on future developments through the adoption of a policy. This item is being offered for consent. First reading of the planning commission's recommendation. This concludes the reading of the agenda. And of course, and as always, this is at your discretion. >> Thank you, sir. Members you have any questions of staff members? The consent agenda would be item number 34. Consent on all three readings, 35. All three readings, 36. All three readings. 37. All three readings. 38. All three readings. 39. All three readings and 40. The planning commission

[2:04:19 PM]

and 40. The planning commission recommends action on first reading only. At this time I will call for unless somebody has any questions of staff, I will call on the city clerk to call on speakers and without objection, we will open the public hearings on all items on the consent agenda. >> Thank you, mayor. We're going to begin with the remote speakers. First speaker is Julia woods speaking on item 36 and 37 . Miss woods, go ahead. >> Miss woods, are you there? Please go to the next speaker. >> Next speaker is Isaac Owen speaking on item 40. Mister Cohen, are you there.

[2:05:21 PM]

Cohen, are you there. >> Yes, I'm here. Okay go ahead. Can you hear me? Yes, we can. Okay. I was also able to hear the previous speaker, so? So maybe you guys can reach back out to her. Anyways, regarding item 36 and 37, the 2800 south Lamar, please support more high density housing and commercial on the south Lamar transit corridor. I'm actually really excited to see what that abandoned goodwill will become. It's right by a bus stop. That's an excellent spot. Honestly, the only downside I can see to this is that bus guard might have to find a new place for his or her artwork. Now, regarding item 40, the hud amendment. Also, I'd like to ask for your support. The site plan has evolved from purely office space to include housing, which is what we need today. The site is going to comply with all current water regulation. It will create

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regulation. It will create housing that is adjacent to multiple bus lines. It's right by downtown and a pedestrian bridge. If there was ever a site for less parking, it's this one. On August 31st, you guys voted to spend \$2.5 million for McKinsey to streamline our permitting process as we appear chronically enabled to get out of our own way. If we vote this down for the water recommendation, we are basically changing the process at the last minute as we're trying to create housing. So let's not let perfect be the enemy of good. And that's all. >> Thank you. Thank you, mayor. >> We're going to switch to in-person speakers and try to get Miss Woods back on the line. The first in-person speaker is speaking on items 36 and 37. Lorraine Atherton followed by Tonya Payne. >> Hello, I am Lorraine

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>> Hello, I am Lorraine Atherton. I am opposed to the rezone Singh of 2800 south Lamar. I've been advocating successfully. For 40 years to replace parking lots on south Lamar with multifamily housing. Yesterday, the neighbors were finally allowed to see exactly what is proposed at 2800 south Lamar. It is a 100,000 square foot office building with parking garage. Over the last four years, a group of investors has been buying up multifamily parcels behind 2800 south Lamar on Skyway Circle, removing the tenants and letting the buildings deteriorate. Today, in the midst of a housing and climate crisis, staff is asking you to reward that behavior by allowing them to build a 100,000 square foot office building with parking

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office building with parking garage. If your planning staff thinks that is a good thing, the land development code is not the problem. Please, enough with the parking garages and empty office buildings. Let Zilker alone stop wasting our time. Let staff work on accelerating the construction of real housing at Colony Park. Thanks. >> Next speaker is Tonya Payne. I don't see Miss Payne, so we're going

to go back to the remote. Speaker for it. Looks like we have miss Julia woods back on the line. Miss woods, can you hear us? >> Hello? Can you hear me now? Yes yes, I can hear you. Excellent I wish to also oppose the project at 2800 south Lamar as a as Lorraine has also pointed out, there's absolutely

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pointed out, there's absolutely no need for yet another office building on south Lamar with a large parking garage. I'd like to further point out that the neighbors specifically request that no vehicular access on skyway circle be included because it is a short dead end street and would cause danger, dangerous conditions for residents, pedestrians and bicycle riders again, the previously discussed item, which the developers had briefly agreed with, involved featuring some affordable housing on a project at this site and I would like to ask council if you would like neighborhood boards to negotiate in good faith with developers to include projects that have multifamily affordable housing, then it would behoove the city to not yank that away from us after such a thing has been negotiated and

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been negotiated and neighborhoods are frequently accused of being nimbys, who don't want to see anything built. And yet when we do, to agree to build multifamily housing instead the developer decides to put in another empty office building with a parking garage. Please consider not only this project, but projects in the future and how neighborhoods are expected to cope with this kind of thing. I thank you for your time. Thank you, mayor. >> That concludes all the speakers. >> Thank you very much. Council members. Without objection, we will close the public hearing on all of the items on the consent agenda. Is there any item that any member would like to remove from the consent agenda? >> I was wonder if I could ask one question of staff, but leave it on the that would be this would be the appropriate time. I was wonder if I could transportation staff a question related to items 36 and 37. Just

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related to items 36 and 37. Just we've heard a couple of things about the access on skyway circle and so back in when there were three parcels at issue, one has already been rezoned to are here today the one that was rezoned. And there was direction given for the city manager to work with the developer during the site plan review and the direction was with the goal of studying the need for ingress or egress on skyway circle to avoid access in favor of ingress and egress on south Lamar and Dixon, the manager is further directed to report back to council as part of the site plan process. And so I just wanted to ask our transportation staff that as they go through the site plan process, that this direction will continue to be adhered to or part of the conversation. Yes >> Sade with transportation and public works department,

the site plan will look at egress and egress. We've already had communications with the developer as far as what will be

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developer as far as what will be allowed on south Lamar and the alternatives. They will have, we would need to continue to have conversations at site plan with Austin fire department to understand their needs and requirements of early service development. We will also look at possible other improvements that need to be made, such as I know there's concern about the alley off of skyway circle. We would look at that from a transportation department to see what improvements butts or maybe slight change in operation may be warranted to facilitate late and not impede on the neighborhood with this development. All right. Thank you very much. >> Thank you. Any other questions of staff? Is there a motion to approve the consent agenda as read? Councilmember qadri moves approval. It's seconded by the mayor pro tem. Any discussion on the consent agenda? Anyone wishing to be shown abstaining from voting on the consent agenda or any items on the consent agenda? Anyone wishing to recuse themselves from a vote on any item on the

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from a vote on any item on the consent agenda? Anyone wishing to be shown voting no on any item on the consent agenda? Yes. Councilmember Ryan alter I would like to be shown voting no on item 40. Thank you. Anybody else ? All right. The chair will take this up based upon unanimous consent or on consent. But is there any objection to adoption of the consent agenda? Councilmember Ryan alter will be shown voting no on item number 40. Without objection, the consent agenda is adopted. Council member Ryan alter is shown voting no on item 40 and council members pool Allison alter and harper-madison are off the dais. Members well, before we do that, Mr. Thomas, nice job. Thank you. You only got one no vote. And I'm not sure I

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no vote. And I'm not sure I think it was because of you, but I don't know. Anyway, no. Nice job and thanks for being willing to take a joke. Appreciate you members. That concludes all of the business we have for the Austin city council at this regularly scheduled meeting. Without objection, we are adjourned. It is 2:14 P.M. Thanks everybody Thank you.