

# City Council Regular Meeting Transcript – 10/19/2023

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[10:00:42 AM]

I will call to order the meeting of the Austin city council. It is October 19th, 2023. It's 10:00 in the morning. We are meeting in the council chambers at the at Austin city hall, which is located at 301 west second street in Austin, Texas, as members the order that we will go today is that we will hear from the consent agenda speakers, both virtual and in person, and then we will go to the consent vote with brief comments from members of the council. We will then go to the items that are non consent items that and those are items you'll recall from the agenda that have come from committees. The first one we will take up will be item 45. We will hear from speakers on that item at noon. We will have the time certain of both general public comment and the live music. And then if we still

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live music. And then if we still need to hear from speakers, from items that were pulled from the consent agenda, we will go back to that. We will then have the public hearings that are on the agenda and we will have the eminent domain as items, special items. At 2:00, we will have our zoning matters. I will, by the way, for the record, let me indicate that we have have a quorum of the city council present. We have one council member, council member, Natasha harper-madison, who will be off the dais today. For the record, if I call a vote and forget to point out that council member harper-madison is off the dais, she will not be on the dais and the record should reflect that she was not part of that vote. Members I'll read changes and corrections into the record for Thursday, October 19th, 2023. Item number seven is postponed to November 30th, 2023. Item 32

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to November 30th, 2023. Item 32 is withdrawn and replaced with agenda item number 78. Item number 43 is withdrawn. An item number 57 postponed to November second, 2023. Item number 58 postponed to November nine, 2023. Item number 78. We should remove the name Brodie and pvc and replace that with Ross pv. We should also remove of the law firm name of Phillips, Jarecki Meacham partners and replace that with Jacqueline J. C L Y N the rest boards and commission action items. 3457 17, 18, 19 and 26th October 11th, 2023 recommend by the water, wastewater and wastewater commission on a 7 to 0 vote with

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commission on a 7 to 0 vote with one absence and three vacancy as item number 16 October 16th, 2023. Recommended by the electric utility commission on a 7 to 1 vote with commissioner white voting against commissioner Bowen and Chapman absent and one vacancy. Members that will take us to the consent agenda. And I will look to the city clerk's office to navigate us through the speaker list. Let me just say, by the way, before we begin with the speaker Luz and begin any public comment for the day. Please be aware that behavior that violates the rules of the council meeting will not be permitted. You may not speak out of turn. You may not defame another person Ann you may not use obscene language, use abusive language that is likely to incite a breach of the peace,

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to incite a breach of the peace, make threats of violence against any other person or otherwise disrupt the orderly conduct of the meeting, such as screaming comments or making disparaging comments about groups or others. Also note that comments from a member of the public on a numbered agenda item must be relevant to that item and if you violate these rules, your time may be cut short or you may be removed from council chambers for the remainder of the meeting . With that, I'll turn to the city clerk. >> Thank you, mayor. We're going to begin with in-person speakers on consent. We do not have any remote speakers on consent this morning as call one second. >> I was going to call on item number 33. I apologize for interrupting you that way. And abruptly, I was going to call on number 33 after we'd gone through the speakers. But I'm told the better practice might be for us to hear from law right now. So let's talk to the law. >> Thank you, mayor and council. I'm here today to recommend that you approve a payment as part of

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you approve a payment as part of a settlement of \$200,000 to settle Siobhan Beltran versus city of Austin lawsuit. This lawsuit is related to a June of 2021 use of force incident involving APD as part of her federal civil rights lawsuit. Ms. Beltran seeks payment for injuries to her minor child that was were sustained while APD executed an arrest and search warrant at her residence. In exchange for this payment, plaintiff will release all claims against the city and any officers from any and all claims arising out of this incident and will also dismiss her federal lawsuit that is currently in the western district. Out with those terms recommend settlement members. >> That's item number 33. That's on the consent agenda. Do you have any questions of counsel with regard to item number 33? Before we go to the speakers on the consent agenda? All right. Thank you very much. Thank you. Now madam clerk, if you'll help us out. Thank you, mayor. >> We're going to start with in-person speakers. We do not have any remote speakers for the

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have any remote speakers for the consent items this morning, as I call your name. If you can make your way to the podium. First speaker is Bobby lavinsky, followed by William bunch. If your name is called, please make your way to the podium. I'm and I don't see either. Mr. Lavinsky or Mr. Bunch. Next speaker is Patrick Mcadams. Followed by Sharon Blythe. >> Good morning. My name is Patrick Mcadams and I've been a resident of Austin for the last four years. I'm here today because I see a growing or dare I say, widening problem with how our nation thinks about its transportation system. For that previous city council members meetings, we have heard from many people about the various costs and reasons to oppose the expansion of the I-35 highway

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expansion of the I-35 highway system. But there is another cost that were not fully taking into account the costs that will be paying in blood when we discuss highways and roads in this country, what we are really talking about is a system, a system of automobile dependency. Every road without a sidewalk, every poorly painted on bike lane with no separation in between the riders and the cars. Every minute that we spend in traffic without adequate transportation alternatives, marks is abysmal. System nation wide. The human toll of this dependency is enormous. An estimate from the national safety council, an organization that keeps track of the various causes of death and injury in this country, gives us around 46,000 deaths in the year 2022. Two thirds of these fatalities occurred on highways, 5.4 million crash victims were hospitalized in 2021, and their injuries alone cost this nation \$500 billion. Car crashes the number one cause of spinal cord injury in this country, accounting for 50% of all such

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accounting for 50% of all such injuries, making it the number one cause of paralysis in this nation as well. So pervasive is this type of injury that 1 in 3 Americans over 100 million people alive today will be seriously injured in a car crash in their lifetime. Why are the aforementioned numbers so important? Because, again, according to the national safety council, there is a difference in the death rate per 100 million miles traveled between driving and the alternative transportation methods that we can build. Instead, what is that difference? It is 20 to 1 with this highway expansion therefore represents is a taking and an unjust confiscation of blood and life to continue the expansion of this system is to say that this human toll is not high enough. Thank you. >> Next, speaker Sharon Blythe. And I'm going to call again Bobby Lewinsky or William bunch. If you're here, please make your way to the podium. >> Good morning. My name is Sharon Blythe. I've spoken before the city council over the

[10:09:54 AM]

before the city council over the last 33 years concerning the city cemeteries. Today you're a vote to extend a contract with the city that the city first approved in 1990. Let that sink in 33 years with the same contractor for the amount of that contract is not \$11 million. It's more like \$33 million. \$1 million a year. We did an analysis a few years ago and determined that with facts that this contractor was charged the city double what he charged other cemeteries just outside the city of Austin. And here's a real issue. The city actually builds citizens for those outrageous amounts when they need a place for their loved ones. So the elderly get the bill and you're preying on the elderly for this contract. The very least charged by the contractor is \$2,649 just to dig the hole and cover it back up. These fees go up with time. I'm this this does not include the

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this this does not include the burial space of \$3,050 at Austin memorial plus a \$610 for maintenance at these amounts total \$6,309 at Austin memorial. So again, the elderly are paying that fee. All the money goes to the general fund for the city. Then parks and recreation is given an appropriation by finance parks decides how much the cemetery operations get to run the cemeteries, which is not enough, by the way. This contractor continues to charge too much for burial services, which goes up every contract renewal. So there is no management by the city over this contractor. It does not take much training to run a backhoe, and the city bought the equipment years ago and only one person is needed to dig the grave. The other person is needed to get the dirt. Ask yourselves why is this such a hard job? It is not. We ask for a dignified city run process for the citizens. Get to paid for

[10:11:56 AM]

the citizens. Get to paid for what they are paid for. Thank you, ma'am. Thank you very much. >> Appreciate your being here. >> Next speaker is Stewart king. Yes go ahead, Mr. Bench. Thank you. >> Thank you, mayor. Council members bill bunch, just speaking for myself against the convention center, \$1.27 billion approval, which you're really doing on consent. I seriously you have no financial analysis whatsoever to support this. You know, the construction costs and interest are going to be way more than 1.27 billion. And I'm guessing there's not a single person up there who can tell me or the community how much annual loss as the convention center has been suffering consistently over the last ten, 15 years, anybody have a single idea of that? Yeah, I didn't think so. >> It's worth checking how the

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>> It's worth checking how the rules work. Mr. Bunch so if you'll finish your comment. >> Okay. Mayor in 1998, you built a consensus of this community to support a bond Ed and a vote of the public. For \$110 million to expand the convention center that we previously had. And that gave us the facility that we have today. Now you're going to do this without a vote of the public, without without a financial analysis. This and when if you even remotely peek at the data for the convention center, we have now never met a single one of those projections and the whole base of information in that that community consent census that you built. Mayor Watson, to support that bond package, none of it came true. The convention industry as a whole is tanking. It's over post pandemic conventions are never going to be what they are. This

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going to be what they are. This is the biggest waste of money. Me way more than water treatment. Plant number four a boondoggle. All of phenomenal proportions in and you're basically stealing the money from live music and the creative and cultural tourism that actually drives people to come to our city. Please don't do this. >> Thank you, Mr. >> Bunch next speaker is Stewart king, followed by Clayton fiddler. >> Good morning, mayor and council members. My name is Stewart king. I'm with king mortuary and we've been in business in this community since 1901. We've been on 12th street since the early 30 ends and they came out and I think around 2014, in 2010 and made bike lanes, they said there would be no parking on the south side and there would be parking with bike lanes on the north side. And now they want to take away the parking. Since then you've had multi, buildings that come up that have businesses on the

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that have businesses on the bottom. If there is no parking on the north side of 12th street, that will interfere with business, that would also affect our business as well as those other ones that have joined

the 12th street since then. So I think you all need to revisit that. The bike lanes do work. They're bike lanes are already there. But to remove the parking from the north side would devastate all of the businesses from Navasota all the way down to Airport. And there's no parking from Navasota 35 already. So it's hard to get to 35 with since they're no longer two lanes but to take away the parking on the north side would devastate our business. Families will not be able to come and park to visit their loved ones. And that's the only time that African-American burns that have left east office and get a chance to come back is either during film or for church, but not only that, it would also

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not only that, it would also affect all the other businesses that have just gotten to east Austin. The high rise on Angelina. The building that's on San Bernard that has businesses on the bottom that parking would be gone that parking would extend over into the neighborhood AIDS which which which is not good. But that would definitely devastate our business as well as all the other businesses. If you take away the parking on the north side. Thank you. Thank you, Mr. King. >> Next speaker is Clayton Fiedler. Followed by Alexander stringer. >> How you guys doing today? Hello, I'm Clayton Fiedler. Have concerns around some online behavior of councilman Qadri posted about being an elected Muslim while contextually aren't horrible gain a whole different meaning when combined with his prior posts stating that anyone from Israel should reevaluate, reevaluate a lot of things or stating that Israel has no right to.

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to. >> Are you speaking on a specific item? >> No, sir. Then I apologize. >> But our I'm sorry, item 41 is what I signed up for. >> So I could speak to you today. >> Well, but are you speaking specifically to that item? >> No, sir. >> Well, then then apologize. But our rules don't allow you to do do that. You have to speak to a specific item and so as a presiding officer, I need and continue on. Sir, I need to apologize. But that's what our rules are. And I need you to comply with our rules. Thank you very much. >> Next speaker is Alexander stranger. >> Good afternoon. Good morning, mayor. And council. I'm speaking against item number 11 because quite honestly, this money, it's not being used appropriately. Okay, guys. And there are extremely vulnerable communities who need this money a lot more than the Zoll medical corporation. And that is why we need to give \$11 million to the

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need to give \$11 million to the people that are suffering in Gaza Joe Biden, the greatest president of all time. He pledged \$100 million to the Palestinians. And yes, most of that money will go to Hamas, but that should not be a problem because Hamas mayor, they are a minority owned business and they share so many of the values that are held on this very council. We have to fight back against oppression and

our legacy of colonialism. And just like my comrades in the blm movement, we need to dismantle these oppressive systems. And that starts with abolishing Israel and destroying the united States. And zo, I know you fully agree with me on this, Mr. Stringer. >> I'm again, I'm going to rule you out of order, sir, while you're smart enough to act like you're speaking on item, I am speaking that money. That money, sir. Sir, that money can't go, sir, would you please, please excuse yourself from the council chambers? No, you don't have hold on a second. I'm ruling you out of order, sir. Please excuse

[10:19:09 AM]

out of order, sir. Please excuse yourself. >> That's fine. >> I'm being thrown out for exercising my constitutionally protected speech to speak on a specific item about a specific issue. And you guys are violating my first amendment rights. Please that's the way you guys are doing. You guys literally please, is the fact that you don't let people who disagree with you actually have a platform to speak. So you're literally proving my point each and every single one of you. You're not another speaker. >> Do we have another speaker? >> We don't have any other speakers, members. I think that's the last of the speakers. As members, we will now take up the consent agenda. Would you please escort Mr. Stringer out of the chambers? >> You're an embarrassment. Each and every single one of you guys . Members. >> Those are all the speakers that have signed up to speak on the consent agenda. The items we will now go to, the consent agenda item number 33. I want to remind everyone item number 33 is the settlement settlement agreement that we heard from

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agreement that we heard from counsel. All the reason I want to highlight that is if there's anybody that wants to ask questions of counsel at this point, I will also allow for that opportunity. Second, are there any items that any member of the council would like to pull from the agenda? All right. Yes. Councilmember Allison alter , I'm waiting some additional information just asked from interim city manager for items 27 and 28 that asked for on Tuesday that I haven't seen yet. >> I have a lot of emails relate to item 45. It's possible that I missed it, but 45 was 45 is an item from a committee, so it's not on the consent agenda that. My point is that for item 2728, which relate to the convention center, I asked for some financial information on 27 or 28. >> We'll pull that you're pulling that. >> I'd like to pull it to make sure I have that. >> Understand you're pulling 27 and 28 from the consent agenda. >> That was the only reason I was bringing 45 is that I can't see if I have the information

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see if I have the information which they may have provided. >> Okay. 27 and 28 are being pulled from the consent agenda by council member Allison alter. Are there any other items that someone would like

to pull from the consent agenda? Is there anyone wishing to be shown as abstain Singh from voting on an item on the consent agenda? Anyone wishing to be shown recusing themselves from a vote on the consent agenda? Anyone wishing to be shown voting no on items on the consent agenda? Councilmember Kelly. >> Hello. >> I would like to vote no on item 33 and 78, please. >> Anyone else? Any other council member would like to be shown voting no on the consent agenda as it was read, members of the vote on the motion that I will entertain on the consent agenda will be to adopt the consent agenda pulling items 27 and 28. They will not those items will not be on the consent agenda at and I'll entertain a motion to adopt the consent

[10:22:14 AM]

motion to adopt the consent agenda. Councilmember Fuentes moves approval. It is second by councilmember Ryan alter. Is there discussion on the consent agenda as read any objection? Without objection, the consent agenda is adopted with councilmember Kelly being shown voting no on item 33 and item 78 and council member harper-madison being off the dais, the chair will now recognize council members that wish to speak with regard to items on the consent agenda. I'll recognize councilmember Kelly. >> Thank you. Item 36. I wanted to highlight today because it's very important that it is going to be providing much needed peer recovery counseling services for community intervention, which will help prevent opioid opioid overdoses. As we know, the opioid epidemic is taking the lives of all ages, including some of those that we all may know. And it impacts our youth. Also, this item will provide one on one support to those in need and be part of the puzzle and saving lives from those being

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saving lives from those being taken too soon from opioid overdoses. Item 39 is equally important as it will approve a resolution authorizing negotiation execution Ann with texdot for the non-radioactive hazardous materials routing designations project. As our community grows, I firmly believe that public safety should be first and foremost, and this item will protect our community with the transportation of hazardous materials in a way that does that protect the public. Thank you. >> Thank you. Councilmember Allison alter. >> Thank you. Want to just take a moment to highlight some of the great work that our ems department and our office of the chief medical officer are doing to keep our community safe and healthy. We yesterday had the opportunity to attend a women's focus pop up resource clinic, where among many things, organized breast cancer screenings and pap smears and brought together many, many different departments from the city as well as various health providers. It was very, very impressive. And there were a number of women who were there receiving care that they

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receiving care that they desperately needed. And I bring that up because we have two items on our agenda today, that are important for the success of our EMS department. Both of them relate back to budget amendments that I worked on with council member Kelly in 2022. One of these provided funding to expand life saving in the field. Whole blood administration for traumatic injuries and that amendment that we put forward in 22 also funded training equipment to help expedite medic training, hiring and promotion. And we see that item about simulation training today. The whole blood program represents a fantastic collaboration between us and the office of the chief medical officer and our local blood bank, which is located in district ten. And by providing whole blood in the field for victims of trauma, we can, in many cases reverse the effects of shock and increase survival rates. Our deputy medical director, Dr. Jason

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medical director, Dr. Jason Pickett, said this summer that early use of whole blood can also reduce the amount of blood a patient has to receive by half, which helps us conserve, serve this important community resource. In May of this year, EMS and reached a milestone when they administered the 100th unit of whole blood from the whole blood program. I'm really excited to see this program move forward. Think it's important for critical and lifesaving work, but it's also just another example of the really important work that our EMS and our ZO are doing to help our community. So thank you. >> Thank you. Council member. Any other council members wishing to be recognized used to for brief comments on the consent agenda. All right. That will take us members to non consent items. The order that will take these items is 4544 and then 27 and 28 at noon, we will pause for the time certain that we have scheduled for noon and Ed and we'll come back if we

[10:26:20 AM]

and Ed and we'll come back if we are not through with these items from council, we will then go to the items related to eminent domain. Public hearings and on through with zoning. So we'll I'll call up now item number 45, recognize mayor pro tem Ellis. She spoke to us at the work session. But I'll see if she wants to say anything more right now. >> I did. >> Yeah, I know there's probably a handful of speakers that are excited to make their statements, but Tuesday is a good reference for how I laid this out. I pride myself on narrowly tailoring some of the work that we do. So I know there's been questions kind of about, you know, what exactly can we do with I-35? What options are still on the table? And so my resolution that I brought through the mobility committee and was subsequently approved and is now being brought to the full council, is very narrowly tailored about our emissions reduction program. So we have an Austin program, haam, that is currently kicking off. Ocampo has just

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kicking off. Ocampo has just approved money through a federal grant to make sure that we have mobile emissions reductions, plan that timeline on the low end is about one year. So I just wanted to make sure that we had an opportunity to have texdot look at the information that is going to be coming out of those emission reduction plans so that as they move forward with I-35 design, we can make sure that if there's any extra suggestions like location of street trees, curb cuts, other details like that, that can make sure that the east west connected city and the bike and pedestrian accessibility. And for folks with wheelchairs is up to the standard that we at the city of Austin hope that it can be so with that, I'll let the speakers have a moment to talk to it. And there may be other discussions if council so chooses to, to work on that. >> Great. Thank you mayor pro tem. I'll turn to the city clerk for to call the order and help us navigate through the speakers . >> Thank you, mayor. We're going to start with remote speakers. First speaker is Susan pantel. For item 45.

[10:28:23 AM]

For item 45. >> We are in a climate crisis and we can't ignore this huge road expansion project running through the center of the city. The climate equity plan has goals for reducing transportation emissions and we are falling far behind in achieving those goals. The greenhouse gas emission estimates in the at for done by Texas is not adequate. The reason is they list out numerous uncertainties. Data that's missing in every aspect and then they provide one number that they say down to the single digit that they say is the emission estimate. When there's so much uncertainty, they need to provide a range of estimates and confidence levels for those estimates. What is the benefit

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estimates. What is the benefit of this expansion project? The cost is you know, very expensive years of construction, Ann displacing a number of businesses and serious environmental impact stock claims that there will not be any significant increase in vehicle miles traveled from this project. So what is the benefit? What the benefit is that the cars already using the road can drive faster. I don't think that complies with the values of the city of Austin. We need to come together and look at mobility options for transporting people through the city. Thank you. >> Thank you. >> Next speaker is holly Hodge item 45. >> Hi, my name is holly Hodge

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>> Hi, my name is holly Hodge and I'm in Austin native and I grew up in district ten. I'm calling in because I'm currently a master's of urban planning student at Harvard, and I just want to speak in support of proposition 45 and really urge Alison alter my parents and all my friends, representative to vote yes for this proposition on highway expansions have been shown for decades to be bad environmentally, esthetically, socially and economically and just really urge to make an informed, smart decision about this. And support. Prop 45 and really direct funds towards cap metro's projects and really focus on reduce reducing vehicle miles traveled within the city of Boston. Thank you. >> Next speaker is Eddie walker. Hi my name is Eddie walker and I represent reconnect Austin I'm

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represent reconnect Austin I'm speaking today in favor of item 45. >> Reconnect. Austin has been working for over ten years to improve the I-35 corridor. We recognize that significant changes have been made to this project in line with requests from the city county and community, and we are grateful for those changes. However we believe that the project in its current state is not yet ready to move to construction and more needs to be done. Ann specifically, we recognize that the environmental analysis for this project are incomplete and do not paint a clear and accurate picture of Austin's future. Living with this highway. It is inappropriate to spend almost \$5 billion in ten years of construction on this project when there are outstanding concerns from this council and from the community that have not been adequately addressed by techspot and which have hugely detrimental impacts to our environment and to our public health. Reconnect Austin hired an air quality expert who spent his career working at new

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spent his career working at new York state dot to review Texas air quality analysis for this project. He found, and I quote, techspot cannot state with any sort of confidence that this project will not have a disproportionately high and adverse effect on environmental justice populations. The two climate plans referenced in this resolution Ann, will help our region move in the right direction towards reducing our transportation emissions and this project, in its current state will not. I urge the council in the strongest possible manner to pass this resolution and act in favor of our city's future. The midst of a climate crisis is not the time to say we will fix it later. We must fix it now and this is how we do it. Thank you for your time and for your consideration of this resolution. >> Next speaker is Hayden walker . >> Good morning, mayor and council members. Hayden black walker, chair of the board of reconnect Austin and former chair of the pedestrian advisory

[10:33:30 AM]

chair of the pedestrian advisory council. I'm also a resident of district seven, as you know. Reconnect Austin and members of the community have donated thousands of hours over the last decade, working to make I-35 cap look better. Now sorry, my computer decided to restart so. I apologize. I really appreciate your attention to this as commissioner Travillion stated recently, when we build a project that costs \$4.5 billion in taxpayer money we should be building for our children and for our grandchildren. And I would hope that this project is given the opportunity to be informed by the upcoming climate change studies. So that we can use that information and make important decisions around this project. But I appreciate everything elected officials, community members, tech stack, campo, city of Austin staff have

[10:34:31 AM]

campo, city of Austin staff have done on this project. I think the work session discussion earlier this week about item 40 was a great example of all of our community coming together and working together to come up with better solutions for this project. So I hope that you will choose to vote in favor of item 45 and take advantage of making this the best we can. And we have a once in a lifetime opportunity to get it right. Thank you very much for your time. >> Next speaker is Bob Hendrix. >> Thanks for letting us speak. >> I'm Bob Hendrix, chair of the executive committee of the Austin Sierra club, speaking in favor of item 45. I want to add the voice of several thousand Austin Sierra club members to the many other voices opposing the current plan to expand I-35. This project would increase traffic, not reduce it. This will add to the significant and

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will add to the significant and increasing greenhouse gas emissions. Burns already the biggest chunk of Austin's direct carbo pollution in this global warming continues to cause more and more extreme weather events that cause suffering of Austin citizens and people all over the world suffering that will continue to increase, especially to environmental justice communities. This project should consider this harm in their cost of a project, so please approve proposition 45. Thank you very much. >> Next speaker is pat basra. Thank you, mayor, mayor pro tem and council members. >> My name is pat Valdez. I've lived in Austin since 1985 and am speaking in favor of item 45 for some months now I have been visiting businesses close to my house on I-35, and I've been concerned about the dislocation

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concerned about the dislocation that I-30 five will cause. Expanding I-35 will cause on those businesses and on those of us who use them. I realize that the resolution in front of you is about the unaccept emissions, and I support asking texdot to delay funding until the completion of plans to reduce

emissions and to minimize impact on our climate change. That is rapidly happening and in a negative direction. So please approve item 30. Item 45. Thank you. Mayor. >> That concludes all of the remote speakers for item 45. So we'll begin calling the in-person speakers for item 45 as your name is called. Please make your way to the podium and just state your name before you begin speaking. First name is Avery Lindsay, followed by Craig Naser and Jeff Howard. After Mr. Howard, we have Adam Powell.

[10:37:38 AM]

Howard, we have Adam Powell. >> Hi, my name is Avery. Lindsay yes. Today I called a friend I hadn't seen in a while. She told me last week she got into a car wreck on I-35 in Fort Worth last weekend, drove to San Antonio to watch the eclipse on the drive back, I counted five car wrecks on I-35, one after another after another. It took about three hours to get here. This experience is alarmingly common, yet we continue to do nothing about it. Insurance research shows 77% of Americans have been in a car wreck and the average person will experience 3 to 4 wrecks in their lifetime. Further research shows more lanes and wider lanes increase the risk of crashes dramatically. Japan airlines flight 123 is the deadliest single aircraft accident in history. 520 people died in a Boeing 747 crash. The resulting crash sparked international news resulted in numerous investigations and left the public wondering what can we do to fix this? Meanwhile, in the us, the same number of

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the us, the same number of people 520 die every four days from auto accidents as if 747 were falling out of the sky every four days. Would you fly? So why do we delude ourselves with automobiles? Perhaps you're willing to take the risk of death or irreversible injuries on a daily commute, but not all of us are the unfortunate reality here in America is many of us have no viable alternatives. This is the result of decades of car dependent construction and legislation, and it's left us in a position to be enslaved by car manufacturers and oil companies. An average car costs you just under \$11,000 a year to own drive and maintain. Not everyone has that extra money and not everyone wants to spend it. Of course, most importantly, Texas is the largest emitter of greenhouse gases in the us. We emit twice as much as California, despite having only half the population, 30% of our emissions come from transportation. Even if you think climate change is a non-issue, remember we rely on stable climatic conditions to grow food and acquire water. These past few Summers, drought

[10:39:39 AM]

These past few Summers, drought gripped the state of Texas and ravaged our water supplies and agriculture. For this is only becoming more and more common as the climate changes. This is 445. Thank you. >> Hello, Austin city council. My name is Craig Nasr, conservation chair of the lone star chapter of

Sierra club. I would like to thank mayor pro tem Ellis, council member qadri for proposing this and council member Fuentes for supporting it. There are many good reasons for slowing the text. I-35 plans down. This is one very good one. I know that there are negotiations going on behind the scenes. I cannot address any of those. But what I do know is climate change is real. It is happening now. And the hour is getting late for us to do anything about it. Some may argue that the amount of CO2 in

[10:40:41 AM]

argue that the amount of CO2 involved is too little to make any difference. I want to tell you the story of the hummingbird . The forest was on fire and the animals had gathered in the river because it was all burning in front of them and there was a hummingbird and it said, I'm going to do something. And it got a little bit of water and it spit it on the fire. And it got a little bit of water and it spit it on the fire. The other animal said, what? What are you doing? You're just a little hummingbird. Do you think you can do anything? There's nothing you can do to change this. And the hummingbird said, I'm doing what I can than that that fact alone changes the world. Thank you very much. >> Thank you. >> Good morning. >> Council. My name is Jeff Howard. >> I am a current board member of and mobility committee chair for the downtown Austin

[10:41:43 AM]

for the downtown Austin alliance. During my 11 years with the organization, I have been actively involved in our mobility initiatives. I am here today speaking against item 45 at the da. We are striving to make downtown a more welcoming and accessible place for everyone in Austin. No matter who you are or where you come from, I imagine you share these goals with us. We pursue these goals across all of our strategic priorities, including mobility. We have been some of the best and leading advocates and partners for project connect the Austin core transportation plan, affordable parking programs, and numerous other multi-modal and transit initiatives. Our many years of work on I-35 has included advocacy for funding at the state and federal level. All organizing and funding. The initiative, convening community stakeholders, and partnering extensively with both the city and texdot to improve the project. The existing I-35 is a barrier and a blight. It is a redlining relic. It is unsafe, unhealthy and unacceptable. However, I-35 is also a vital transportation corridor that the state of Texas will never abandon as an interstate highway through central Texas. Austin

[10:42:44 AM]

through central Texas. Austin the new dot project, while not perfect, is vastly superior and I believe is the only viable alternative to the existing failed I-35 that texdot will build the new project, which is the result of extensive city, state and community collaboration and work, will reconnect our communities

and provide enhanced bike ped and transit opportunities where none exist for the for the da in downtown. This is a much needed long sought transformational project and we support it. We understand that the project meets current air quality standards and has received a record of decision and while there may be additional air quality questions, we are respectfully opposed to the delay being sought in this item because it is my understanding such a delay could potentially be for 3 to 5 years. Austin austinites overwhelmingly want and deserve to see changes to I-35 now and delay has the potential to cause damage to the funding process and to our partnership with the state on this and other mobility projects. Please vote no to item 45. Thank you very much. >> Thank you. >> I'm going to call the next

[10:43:45 AM]

>> I'm going to call the next round of speakers. We have Adam Powell, Bobby lavinsky, Angelina Alanis and grace Gilger. Please state your name before you begin speaking. >> Hello, my name is Adam Powell. I'm a district seven resident and I'm speaking in support of item 45. And we've talked about so many of the costs of I-35 expansion and want to shed a light on something that's really topical right now is so many businesses have have received their 90 day notices to vacate their properties. One of those businesses is Starr's cafe, used to be starseed cafe. And I went there on one of the worst days of my life. It was back in 2017. My father had just been diagnosed with Lewy body dementia and that that would ultimately take his life. In may of 2022. He had to be hospitalized at a hospital downtown. And my mom and I had such a difficult time going through that process. It must have been like one, 2 A.M, 3 A.M. For him. I don't even know how late it was because it was

[10:44:45 AM]

how late it was because it was the most emotionally exhausting and highest moment of turmoil in my entire life. And we got a hot meal at starseed cafe. A lot of austinites have been able to go get a hot meal at starseed cafe while they have loved ones in that hospital. And this is just one of 111 examples of homes and businesses that are being destroyed by this expansion. So I'd urge all of you to please support item 45. Delay this, explore this with more rigor, because we cannot take this decision lightly. The human cost is too high. And frankly, we all know that wider won't work. Thank you. >> Thank you, mayor and council. Bobby lavinsky with silver springs alliance. I'm here to support the item and really appreciate mayor pro tem Ellis's efforts on moving forward with an item that actually explores options for the city of Austin to take some action on. City of Austin is the major player in the room on this project and we need you to take take your time

[10:45:46 AM]

need you to take your time to assess all of your options to truly evaluate how this project could be made better for our city. We continue to try to work with tex dot on every project. Remember sitting in a room with a former mayor on the oak hill park parkway project and they said, we really need tex dot to work with us on some right of way for project connect. This is the right of way you're getting from that conversation. They're going to be expanding 35 and ruining your plans for project connect. This is in direct counter to the city's goals. We need the city to step up. Please please take action. Thank you. >> Next speaker is Angelina Alanis followed by grace gilker and Katrina Miller. If your name has been called, can you please make your way to the podium. And

[10:46:47 AM]

make your way to the podium. And please state your name for the record, just come forward. >> Just state your name for the record. If you would. Thank you. >> Hi. My name is Katrina Miller . I want to second what we've heard from several other people and express my heartfelt gratitude that you have been so responsive to the needs and the desires of this community to seriously consider the impacts that this is going to have. I also want to respond to some comments that we've already heard today talking about parking and the impacts on downtown. I believe that well, actually every scientist also believes that induced demand and induced car dependance are real as we continue to build infrastructure here. That makes getting places in your car the only viable option in these problems with land use around parking and the fractured urban fabric that is so vastly consumed with parking space is only going to continue to be an issue. So yes, this might fix

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issue. So yes, this might fix congestion for a few years, but as people are continually incentivized to move further out of the city and drive into the city for all of their needs, the congestion is going to get worse again. Pollution is going to get worse and our urban land use is not going to be able to meet the sustainability desires that we all have, and this council believes is worthwhile and possible for the city of Austin. So I again really appreciate that you bringing this motion and I strongly urge you to vote in favor of item 45. Thank you. >> Thank you. >> Next speaker is Gretchen Pearce, followed by Brendan Wittstruck, Miriam Schoenfeld. Good hi, my name is Gretchen Pearce. >> I live in district five. I'm speaking in favor of agenda item 45. I have two young kids and I'm here today for them and every other child whose health and life would be affected by the I-35 expansion project. It's very concerning to me that the city would undertake a project

[10:48:49 AM]



city would undertake a project that ignores our environmental reality, increases carbon emissions and decreases air quality. Our children were already born into a world experiencing serious consequences of climate change that are only going to get worse. We should be doing everything we can to help mitigate those consequences. And expanding 35 does not do that. Austin doesn't always make it easy for us, but my kids and I try to walk and bike as much as we can, and I tell them we do it for our own health and for the health of the planet. But we also do it because it makes us feel more connected to our neighborhood and the people and places in our community. Any transportation projects in Austin should prioritize those same values. Expanding 35, however, will negatively impact our health and the health of the planet. It will isolate us further into cars that many of us don't want to be driving. It will also further divide our city, widening a highway that solidified the segregation of Austin back when it was built. Segregation that continues to this day. The project is a shortsighted solution that will not actually solve our traffic problems in the long term. It's a move in the wrong direction for any city and it's wrong for Austin. We should imagine other

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Austin. We should imagine other possible cities that don't involve more cars and more pollution. So thank you for your efforts thus far and I hope you continue to work to stop the expansion of 35 and keep our children as safe and healthy as possible. Thank you. >> I'm going to call speakers just one more time. Gretchen Pearce, please go ahead and make your way. >> Go ahead. If she calls your name, if you wouldn't mind, please come forward and sit up front out of deference and respect for people that are following you so that we'll be able to move with some more efficiency. We so thank you very much. >> Thank you, mayor. Good morning, mayor. Members of council, my name is Brendan Wittstruck. I am the current chair of the north central I-35 neighborhood coalition. Our group has voted to support item 45 and wish to convey that to you this morning in sync represents 12 member neighborhood associations in three council districts, approximately seven acres of north central Austin and on both

[10:50:51 AM]

north central Austin and on both sides of I-35. I appreciate the mayor pro tem comments about the focus of this resolution. This resolution really isn't about what you think of I-35. It's about what you think of our climate future and that's clearly resonating. I have been at this lecture in a number of times now. I never stopped being terrified. When I'm here. And I'm so proud of to see so many young new faces and is anyone here speaking for the first time in council? It is such a privilege to call these people my colleagues and I'm so, so proud of what they're doing. And I let my screen. Good, good. Would we get this? This is a challenging project. Texdot is here today and credit to them for their willingness to collaborate with local partners. But their own report says this project will pump more than

[10:51:52 AM]

project will pump more than 50,000 metric tons of carbon dioxide equivalent into our air every day for the next 20 years. So what kind of message does it send for us to read that? And say nothing? We can disagree about how best to proceed, but we must agree that reducing or mitigating the harms of this project has to be our priority and commit to working with texdot to realize that it could be more capping over I-35. That could be asking for directing project funding toward other mitigation or air quality improvements that could be providing resources and coordination to project, connect and mode shift efforts and so on . Let's start by taking that commitment to action. We are ready to help. Please vote yes. Thank you. >> Thank you. Mayor. >> We have two remote speakers that have called in so I'm just I'm going to call them so we can go back to in person speakers. First speaker is Hans Mindell. >> Hello, my name is Hans

[10:52:53 AM]

>> Hello, my name is Hans Mandel. I live in Hancock in the Hancock neighborhood with my wife and our two children. I serve on the neighborhood associations, transportation committee and represented on the north central I-35 neighborhood coalition. The further expansion of I-35 through the heart of our city keeps getting sold as a solution to congestion charge bug of the Texas transportation committee called capex central, the absolute signature project of the Texas kiliense program. Three weeks ago, councilmember Fuentes, I believe, asked Texas transportation planning and development director Heather Ashley Nguyen why the construction needs to start now, why it can't wait for the results of important environmental studies by the by the city and by campo that are already underway. Her answer basically was because I-35 was among the top 100 most congested highways. Et cetera. Let's be clear. The project is not going to improve. Let alone solve congestion. Textile district engineer tucker Ferguson himself stated here in front of our city council, quote, we're not going we're not pretending to say that the expansion is building our way out of congestion. Indeed

[10:53:54 AM]

way out of congestion. Indeed texts, own modeling shows that the project is not going to improve congestion. Campos modeling shows that an independent traffic modeling experts have confirmed and warned that the project is not going to improve congestion. What the project is going to do, of course, is massively increase traffic by inviting excuse me, by economically forcing hundreds of thousands of additional people onto the highway until congestion is just as bad again, what if we offered those people \$5 billion worth of actual alternatives to driving? We've seen it in the past and we've seen it elsewhere over and over again. Highway expansions under conditions of even minimal growth don't work. A much more honest slogan for this project would be congestion for more people or in fact, congestion for everyone. So if we are going to burden our children and our children's children and in fact the planet

with this doomed to fail, backward looking project, the very least we should do is thoroughly study and minimize its massive environmental impact . Please vote in favor of item 45. Thank you.

[10:54:56 AM]

45. Thank you. >> Next speaker is grace gilker. >> Hello. So my name is grace gilker. >> I'm speaking in favor of item 45. I'm in district five, the upper. 7704, and I'd like to thank the sponsor of this resolution, mayor pro tem Ellis. So I volunteer at festival beach food forest, which is very close to 35. Right north of the lake. And I have been pretty involved in trying to secure mitigation measures in the Eis just for our little slice on festival beach and the surrounding neighborhoods and definitely don't feel secure barreling full steam ahead from a stormwater perspective, from an air pollution perspective, from a particulate matter perspective, from a dust perspective, from a

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from a dust perspective, from a soil perspective in terms of food safety, like we need more information, we need more time, I'd really appreciate some circumspection on the part of the council. I don't think, you know, this costs us anything. Let's just make sure. Check our boxes, you know? So if. If we can take this to campo and make sure we have all the information we need. This little nerd in a garden would really appreciate it. And I'm pretty sure I am not just speaking for myself, so please listen to your constituents. Please pass this item. Thank you so much. >> Thank you. We're going to go back to in-person speakers. I'm going to call these names one more time. Angela Lena, Alanis, Gretchen pierce and Miriam Schoenfeld. Eid okay, I'm going to call the next round of speakers. Kelsey Hughes yeah, come on.

[10:57:00 AM]

come on. >> Come on up, sir. >> Go ahead and state your name for the record. >> Okay. Hi, my name is Miriam Schoenfeld. I'm here to speak in favor of item 45, resident of district nine. I really just want to say thank you. This, I I'm. I'm. I'm really moved by where we are today as a city with respect to this issue. I love the opening words of this resolution, which say, whereas our great state of Texas, this great state of Texas is our beloved home and that really is what we're talking about, is our beloved home. You know, this great city of Austin is our beloved home, the great neighborhood of cherrywood is my beloved home. And I've had neighbors who've had to leave their beloved home because of their children's asthma, because of the air quality issues, because of all of the environmental problems. And this planet Earth is our beloved home. And we are we are it is under threat. It is, we're in a

[10:58:01 AM]

under threat. It is, we're in a crisis as so many people have said. And it just means so much. It makes me feel really part of this city to know that we are going to stand up for what's right. We're going to demand additional studies. We're going to take a closer look at this and Eid. Yeah, just full of gratitude to mayor pro tem Ellis, the mobility committee, all the council members in support of this, all of my fellow citizens who are here today. This is really an important day for the city. So thank you all so much. >> Next speaker is Kelsey Hughes, followed by Abby Nesbitt and Evan Gautreaux. >> Good morning. Council. My name is Kelsey Hughes. I'm a resident of nine now and I'm an organizer with rethink 35. I'm here in major support of item 45. We have countless examples of highway widening across this country. Now with the Katy freeway at 26 lanes, just one

[10:59:01 AM]

freeway at 26 lanes, just one more lane has become a worldwide joke because it's so obvious that it does not fix traffic. So why would we support adding lanes to an interstate highway through to a downtown? Why where is the example of a highway widening project that improved health outcomes and lowered traffic fatalities is cleaned up? The air lowered emissions and improved mobility options for people who cannot drive. It doesn't exist. Erp earlier this year in this room, Greg Anderson said in regards to highway expansion, Austin can be one of the last cities to get this wrong or one of the first cities to get it right. I believe council can get this right and the public is here to back you up wider won't work. Thank you. Abby Nesbitt followed by Evan

[11:00:01 AM]

Abby Nesbitt followed by Evan Gautreaux and Vanessa barbalho. >> Hi, I'm Abby Nesbitt, representing rethink I-35. I took the beloved 801 bus here from district nine. Shout out to councilman qadri and I'm speaking in strong favor of agenda item 45. Today I've got a few chicken scratch notes here on environmental and congestion and mobility and equity concerns. So I'll start with environmental. So the proposed expansion is going to release CO2 emissions equivalent to a coal fired power plant by the year of 2050. This is while we want it to have a goal of net zero greenhouse gas emissions by 2040. So I believe that it's very inappropriately environmentally inappropriate to continue with this current plan. Moving on to congestion and mobility concerns, I used to live in Houston for a year. For only one year. I couldn't do it and don't want a Katy freeway

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and don't want a Katy freeway here. Wider isn't going to work wider. Only worsens and texdot even estimates that 59% there's going to be a 59% increase in cars driving through our city. I think it's important that we as a whole reduce vehicle emissions, traveled through the city. That's the goal. And now for equity, you know, automobile dependent designs, it's going to displace people of lower income people of color, people and businesses. And the environmental justice category. And I think continuing the divisive legacy of I-35 would just be wrong for the future of our our children and our children's children. There are proposed plans that have been put into place considering, rethink, I-35 and the reconnect Austin proposal. But until we just want to thank the mayor and the council members for your time today and want to thank the mobility committee for bringing this agenda item forward today and believe that it's critical that we move forward in favor of agenda item 45. Thank you, knell .

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. >> Next speaker is Evan Gautreaux, followed by vinicius barbalho, Julio Rojas Aguilar if your name has been called, please make your way to the podium and state your name and there are seats here at the front that you can take a seat. Next speaker is Lila Levinson. Jack sawyer. Please state your name. >> Hi, my name is Julio Rojas Aguilar. I am from district five, represented by Ryan alter. I'm I'm. I support agenda item 45 and urge city council members to oppose the I-35 expansion. Ann. I oppose expanding I-35 because it will I'm sorry. Well, my thing closed, but it will worsen traffic. It is basically just a temporary band-aid that would allow the wound to fester for of as induced demand takes hold and horrible traffic will return. This is an opportunity

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return. This is an opportunity for us to actually take action and improve the quality that our city can be. We can be visionaries. We can make Austin a world class city by stopping this deranged mindset that we are one lane away from fixing fixing traffic, which is the equivalent of thanking you are one credit card away from being financially stable. So please consider that support the item 45. Thank you so much. Wider won't work. If your name has been called. >> Please breakaway to the podium. I'm going to call the next round of speakers. Otherwise and please state your name. >> Hello. City council, I'm jack sawyer. I'm building a community engagement platform called representative. I live in district three and am speaking for agenda item 45. I like many of the residents of Austin, I firmly oppose the expansion of I-35 and accept the challenge to

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I-35 and accept the challenge to brainstorm some alternative solutions with you today I had the opportunity of studying abroad and growing in cities that were of similar proportions and population in

Austin and I've lived the side effects of roadways and the safer, cleaner and more affordable solutions. Don't be fooled. Austin not only doesn't need a wider I-35, but we don't actually want it either. In fact, most of us would rather the money be invested towards alternatives to driving as the fastest growing city in the nation. We need to accept the fact that highway expansion is our solution of the past and that we need to pursue modern, realistic and timeless solutions. A research paper from Texas A&M transportation institute in 2015 reported that 86% of I-30 five traffic volume is from local traffic. That's fantastic news considering that acts own survey results from 2022 said that of all the Austin

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that of all the Austin respondents who drive themselves, only 16% actually want to with Texas own figure of over 172,000 average daily drivers on I-35 alone. That's a ton of austinites we could raise capital from by putting them on public transportation. If city council were to put forth a proposal to increase the number of locations burns quickly reachable via public transportation, the overwhelming majority of your constituents will thank you. First, we need to create a better transportation system for our residents because a couple more lanes on I-35 won't help us. It's 2023. Why are we trying to build wider highways? Thank you for your time. >> Next speaker is Paige. Hoffer followed by Christian may and Jenna Evans is. Please state your name at the podium.

[11:06:07 AM]

your name at the podium. >> Good morning. Council members. >> My name is Christian. May I am a resident of district nine. I live in an apartment next to I-35. We live there because it's where we can afford to live. My partner has had asthma since she was a child. Before before we moved to Austin, she never needed to use an inhaler. Now now, living next to the highway, she needs to use one regularly. I don't know if any of you have ever watched as the person that you love struggles to breathe as they try to go to sleep at night. I have. It's not fun. Not far from us. As Sanchez elementary, one block away from the highway, if you weren't aware attending a school close to a highway greatly increases the risk of childhood asthma. This is backed up by like numerous studies. The current plan to expand the highway would increase those kids risk even further. I don't want the children of our community to

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children of our community to suffer because we didn't have the courage to oppose this expansion and find a better deal for Austin. I hope that you will have that courage. Paige for those of you that have already had that courage, thank you very much. And I hope more council members will join you. Thank you. >> Hello, my name is Jenna. I live in district ten and I'm a junior at headwaters high school. We walk through Austin capturing street corners during photography class. And today I came straight from

school, which is 15 minute walk away from here. As students, we have a deep connection to this city. We canoe on lady bird lake, we hike at waller beach park, which will be seized by tex-dot in order to expand I-35. As we roam through Austin, we want it to be a healthy and beautiful city. We students are deeply concerned about how the environment green spaces and people's health will be affected by the I-35 expansion. This expansion will increase the number of cars driving through the city, increase pollution and further

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increase pollution and further the historic divide between east and west Austin. This is not responsible. Nobody is attracted to a city with a 20 lane highway that tears its heart apart at expanding I-35 is exactly the opposite of what we need to ensure a healthy, livable and enjoyable city for the next generation of students. We want a forward looking city that cares about the people's well-being that is why we call on the city council to pause the I-35 expansion. Thank you. >> Next speaker is max Katan, followed by Robert bowler, liza büchler. And please, if you could just state your name at the podium. Hello my name is max Keaton and I'm a ninth grade student here in Austin. >> And I'm speaking in support of item number 45. Other cities

[11:09:12 AM]

of item number 45. Other cities have chosen to remove highways that go through them. The construction of this project alone will take an estimated ten years. That's ten years of blocked off parts of a massive road and ten years of noise for everyone who lives, works or attends school near it. And once it is finished, the traffic will not get better, which will also create noise. Something else that worries me is the car pollution caused by extra traffic. Not only is it horrible for the environment, it also creates a public health risk. A city that does not take this into considering action is not a city that I want to live in in the future. Thank you. >> Hello. My name is liza Biegler and I'm a junior in high school here in Austin. I live in both districts, ten and five. I'm speaking in support of agenda item number 45. As many of you guys know already, over 60 eviction notices have already been given to businesses and homes in east Austin in

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homes in east Austin in preparation for expanding 35. But that's not what I really want to talk about. I am a high school student who drives myself basically everywhere right now and traffic is something that will be greatly increased if I-35 expands. It's going to create more traffic, making it harder for high school students like me and other people to not only get home but get around the city. Something I'd also like to touch on is I take a photography class at my high school. We'll go out around the city more specifically

downtown, and we'll find like cool things like nature and other things and like street corners and stuff to take photos of and that won't be there if I-35 expands, it'll be a highway. Thank you for your time. I hope you support agenda item 45. >> Hello. Thank you. Council members for the time and thank you to the mobility committee for bringing this forward. My name is Robert bowler. I'm a district four homeowner and a 12 year austinite I'm speaking in

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year austinite I'm speaking in favor of item 45. I grew up in the sprawling north Texas metro plex in a small neighborhood sandwiched between three multi-lane highways. I had neighbors to visit, but otherwise had no Independence. I could not get to my school. I could not get to a mall which still existed. Then to a park without being driven across the highways by my parents. But to this day, deal with exercise induced asthma. So this is what urban highways do to children. Fast forward a few years and I'm working in a client's office in downtown Dallas. I'm looking forward to seeing what their downtown has to offer. But there are no people. There are no interesting things to see, not even a volunteer food forest or a vampire themed antique store. As we are so blessed with. It's just concrete car lanes and parking garages. So this is what urban highways do to cities as I know, this is not a council decision. I know this is a texdot and a campo decision, but their end of the streak campaign shows that texdot has abdicated

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shows that texdot has abdicated their responsibility for our safety without the outside pressure from y'all, from maybe the federal government, from us, they're going to continue the streak they have given up. You are the only adults in the room on this issue and I'm really asking y'all to step up for this. I know some of y'all already have. So we really need your unified voice on this. And turning this around will be an amazing legacy for Austin, for y'all and for our future. Thank you very much. >> Next speaker is Olivia bush over? Patrick Mcadams? Eleanor Steck and Tina Rodriguez. If you can just state your name at the podium. Thank you. >> Hi. My name is Olivia and I'm a high school student in ninth grade. I'm currently a resident of district eight. I'm speaking in support of agenda item number

[11:13:15 AM]

in support of agenda item number 45. There are multitude of reasons as to why we don't need a larger highway in our city. A major one being that highways, especially large ones, tend to be eyesores, as Austin has always been a unique and beautiful city. But this expansion will only take that away. We should be prioritizing solutions that increase mobility and connectivity in an environmentally responsible way. Thank you. >> All right. My name is Patrick Mcadams. I know I spoke here earlier today and this



morning. But guess just got one last comment. I know that this is not a city decision, so Mr. Buttigieg, if you're listening, if you ever get this, please come down and help us. At the federal level. Thank you. >> Hello. My name is Eleanor

[11:14:17 AM]

>> Hello. My name is Eleanor Steck. >> I'm a junior in high school who lives in district two, and I'm here today speaking in support of agenda item number 45. I would like to say I'm so happy that I can speak here today and share my opinions with you. Austin over the past few decades has gone through some significant changes as we have watched our skylines grow taller, our green spaces shrink, and the amount of construction grow at a staggering rate. It's understandable. We have so many people moving here. We need more housing and we need more living spaces. But we know we don't need this highway construction. We don't need this highway expansion. We don't need more room for our cars. We need more room for people. This highway construction is actively evicting people, destroying our trees, our creeks, our streams and uglifying our city with more concrete. We don't need this. We need better public transportation, more public transportation, more bike lanes,

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transportation, more bike lanes, more trees that keep our air breathable and I implore you to hold texdot accountable for their actions and how their actions impact the environment and our city. Thank you. >> Next speaker is let's see, we've called Tina Rodriguez. Eleanor Gonzalez, followed by Joan Saldana. Sandy Dotson, William bunch. If your name. Has been called, if you can, please make your way to the podium. Good morning, mayor and council. >> Bill bunch, executive director with save our springs alliance. I want to first thank mayor pro tem Ellis and the mobility committee for moving this forward and to urge all of

[11:16:19 AM]

this forward and to urge all of you to support it. Wholehearted Lee as a longtime environmental lawyer, I've fought texdot on multiple highway projects. They win most of the time, but not all of the time. They won't bend without real pressure. And y'all need to step up and fight this to the end and at least get some leverage. You also need to engage with secretary buttigieg, mayor Pete and the Biden administration has said over and over that they understand that these urban highways that were built and destroyed are central cities, divided them racially, have had extreme impacts on communities of color that they need to be mitigating that and reducing it, removing urban highways and yet here we are expanding, adding way more harm to the original harm that was done. And y'all need to fight this. You need to help us hold

[11:17:21 AM]

this. You need to help us hold the Biden administration accountable to their promises on climate change, on environmental justice, on public health and on air quality, on protecting water quality in our lake and our river across the board. This environmental study is deficient and Ed calling the mitigation Ann something that's worth jumping on to when we're having to pay for it, when it's actually a rounding error for texdot on this project, that's not okay. That is not okay. This is doing harm to our community. It's not helping our community. We shouldn't be spending a dime on this thing. Y'all need to demand that. Secretary Buttigieg walk the walk, please. >> Next speaker is Ali Carter, followed by Roy Whaley.

[11:18:21 AM]

followed by Roy Whaley. >> If your name has been called, please come forward when she calls your name. >> Good morning, mayor and city council. I'm Ali Carter. I'm the 2023 three chair of the Austin chamber of commerce and want to express our opposition to this resolution. Our members have been reaching out to your office, the camper board, the Texas texdot leadership, and others in support of this project. Our region is experiencing rapid growth and people are attracted to Austin because of its quality of life and opportunities for the families to sustain this success. We need to address transportation deficiencies, retrofit and rebuild existing infrastructure and the capital express central project aims to do just that. Our important one important aspect of this project is inclusion of managed lanes, which will support rapid bus services on I-35 and encourage carpooling or vanpooling. This

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carpooling or vanpooling. This is crucial for achieving the city of Austin goals for mode shift. Moreover, without the improvements offered by east west stitches and parallel pathways, I-35 will remain unsafe for drivers, pedestrians and cyclists. Failing to execute this project would maintain an unacceptable status quo. It's important to note that I-35 was built over 60 years ago and does not meet current safety and operational standards. The water infrastructure is also outdated. Texdot is proactively addressing these issues by improving water collection runoff standards and conducting air quality studies mandated by the federal government. If we do nothing, the physical barriers that have separated Austin for six decades will persist. We'll continue to face hazardous crossings, lack of transit improvements and limited future rail options is considering these critical aspects. The Austin chamber firmly opposes any efforts to delay the capital express

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delay the capital express central project. Thank you for your consideration. >> Next speaker is hayatou Desouza followed by Daniela silva and last speaker Santiago tetsuwan. >> Yeah, hello. >> My name is hayato Desouza. I'm here to speak my support for item 45. I think there's a lot of things that can be said against highway expansions coming from Atlanta. I can tell you expanded lanes only increased traffic and only make it harder to get on and off. The highway. That cuts through downtown. But today, I'm going to talk about what the increased pollution will do since transplanting to Austin a few years ago, I've found myself getting more and more into nature, becoming an amateur ecologist and citizen scientist. This genuinely would not have been possible without the incredible Texas wildlife we have here with more species than yellowstone. And second, in the nation for species diversity and as such, I wanted to speak specifically to how the plants

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specifically to how the plants in nature will be affected. I think we all know that pollution is bad and it makes the air more dangerous to breathe. It can seriously complicate existing health conditions. Luz. Fortunately for us, plants do a great job of filtering out these pollutants like gasoline exhaust or rubber particulates that end up in the soil from water. What think this I-35 plan doesn't consider is what happens next. What happens with these plants that clean the air, water and soil? Well, just like when you're used, air vent gets dirty , it becomes clogged, it becomes bad. Unfortunately, plants can order replacement filters. They absorb, they accumulate all these toxins, these toxins are then accumulated in these wildflowers that we plant to attract our butterflies, our hummingbirds, our bats. In addition to my concerns for nature, I came today as a speaker in support of item 45 for the food festival, beach food forest for those of you who don't know, festival of beach food forest is a nature path of edible plants open to the public to forage. This provides supplemental nutrition for someone without food security and as well as an incredible education resource to hear,

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education resource to hear, smell, feel and taste. Nature from picking wild berries off the branch to taking them home to make tea. Unfortunately these plants do not know they will be consumed by people and will continue to filter and store pollutants as remarkably as all plants do. I'm supporting item 45 today because I care about my local community. I believe I dislike traffic as much as anyone here, but we should not take that out on our community. There are ways to increase accessibility without jeopardizing the health of our young, sick and vulnerable. Thank you. Thank you. >> Good morning. Council. My name is Daniela silva. I'm a resident of district three and I'm here in support of item 45. Earlier this morning, council member Fuentes and her community members were honoring the lives lost during a devastating flood that happened just a decade ago. Devastating weather crises will factually

continue to happen more frequently and with increased severity due to climate change, now is not the time to leave. Environmental

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time to leave. Environmental plans as the last priority. We've done that for decades and look at where we are today. More concrete will only lead to more flooding, more air pollution will worsen existing health disparities, more car dependence will exacerbate social isolation and economic inequalities. As austinites resoundingly do not want a wider highway. Most of us don't want a highway down the middle of our beautiful city at all. If tech stock is going to force their backwards policy onto us, at the very least, they should be crossing every single T and dotting every single I. What we cannot support is allowing texts to circumvent the absolutely critical environmental studies that are already underway. Mr. Ali mentioned that people want to move to Austin because of quality of life and opportunities for families. Does the chamber really think that adding concrete air and noise pollution and ten years of worsened traffic due to construction would really make quality of life better for who? I have a I'm in big brothers,

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I have a I'm in big brothers, big sisters and I took my little to the festival beach food forest to see the solar eclipse and my little lives in very, very far southwest Austin and said, wow, I didn't know Austin could look like this. I didn't know Austin could be this beautiful and this green and have all of these areas for community and the festival beach food forest itself would be at risk due to this expansion. So please listen to your constituents. Think about future. Austinites and vote in alignment with our shared vision of an Austin for all, which means no wider and no higher. For >> Good morning mayor and council. I'm sandy Dotson. I am the chair this year of the Austin area research organization Ann, a group of business and civic leaders across our six county region looking to improve the quality of life and how we grow regionally in the next decades. I'm here with all respect to speak against this resolution

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speak against this resolution and let me just tell you why. We all know that we're growing fast and we've disproven the urban theory that if you don't build it, they won't come. They're still coming. And Eid, we need to we need to provide for that in. It's essential that our infrastructure investments affirm a shift, a mode shift from single occupancy vehicles into carpools. Vanpools busses, trains and bikes. That includes retrofitting or rebuilding existing infrastructure and the capital express central project does that. You know, nearly all the increased capacity on the project is on the managed lanes. This is a key point. Additional people moving through the corridor will be producing significantly less pollution by riding

together in cars, vans and busses compared to driving alone each year. This project is delayed or if it never happens, the additional people and trips that we know are coming will take place more likely and

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take place more likely and single occupancy vehicles. There won't be rapid bus service on I-35 without managed lanes, there will be little incentive to carpool or vanpool without managed lanes. The city of Austin goals for mode shift will be harder for us to achieve. I-35 will remain a deadly corridor for pedestrian lanes, a no go zone for bicycling. That's without the east west stitches and parallel shared use pathways to provide safe passage. Paige. Without this project, we could see more pollution, not less. Is the status quo just is unacceptable label. We can't let our vision of the perfect myurus in inaction on texdot really in a lot of ways has been an active and responsive partner for this project. But working together we can make this happen. Thanks mayor. >> That concludes all the speakers for item 45. Unless I called your name and you just haven't made your way to the podium, please state your name. >> Santiago. >> Yes, go ahead. >> Cool. Hey, I appreciate your

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>> Cool. Hey, I appreciate your service a lot. And I showed up here with regard to the spirit of collaboration. And with an ask to achieve better commitments from texdot. I'm a core volunteer of festival beach food forest, spending hundreds of hours a year cultivating strategies to demonstrate client climb resilience on public park land. I would like to see some transparency of discussion from this dais, not only inter-agency, but I've done a lot of research on this, so I'm going to go through a little bit of what I've studied and I was really interested in saving this tree. There's a marker from 1965 at town lake in 1965. The council approved funds for beautification projects. The section 106 historical review process failed to mention this site in their area of potential

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site in their area of potential effect. A rough guess of 118 pounds per year of carbon is sequestered by a ten inch diameter by height at breast height. Tree. The heritage tree is going to be almost 20 times that, nearly a ton a year. The voice meeting and this past August was the first time I ever saw any renderings of the bridge demolition that's going to occur or that's going to include a six year trail closure for and no looking like very little collaboration with the U.S army corps of engineers with regards to creating a constructive use, the stormwater outfall that is was moved in June from a nature preserve just downriver 300 acres of first flush effects, including effluent of patrol and everything else are going to flood right into the Colorado river with a lack of dissolved oxygen. The section four F for federal highway administration

[11:29:34 AM]

federal highway administration had failed. Public outreach obligation. Ann. That was fast. >> Thank you, sir. Yeah, it does go fast, doesn't it? Thank you. Appreciate you being here. >> That concludes all speakers, mayor. Thank you very much. >> Members. That takes us back to item number 45. I'll recognize the mayor pro tem for a motion. >> I would like to move approval of item 45 and also have a couple more comments. >> I'll be right back to you. There's a motion to approve item number 45, seconded by councilmember Fuentes. I'll recognize the mayor pro tem. This is discussion and I'll recognize members on the discussion of item 45 mayor pro tem. >> Thank you, mayor. We had sent a presentation to and I think they were just pulling it up as I concluded my previous remarks. So while they're pulling that up again and it can play while I talk, I want to say thank you to all all the speakers who came to talk about this item today. No matter which way you were sharing your thoughts, your thoughts about the resolution Ann, it really strikes me to see

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Ann, it really strikes me to see high school students here. Thank you so much for taking time out of your day to come here. That was that's big. When the gentleman asked who is here for the first time and saw about 20 hands go up, I was really impressed because I know it takes a lot to come up and come to this microphone. This presentation that my team put together is a compilation mostly over the last eight years of the devastating natural disasters that we've seen here locally. And we're seeing everything from floods, wildfires. We're seeing freezes, storms, pandemics, all sorts of situations that are deeply affecting our community and as Craig nazer put it, I have mad respect for that little hummingbird who's trying to do their part to put out the wildfire. But this is our moment. You know, we know that our relationship with texdot is very much a relationship about what power the state has and state organizations and what power cities have. And our transit partnership and texdot has made made amends with some of these issues. They've moved

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of these issues. They've moved the access road lanes so that they function more like a boulevard that was requested. They've worked on dedicated transit lanes. They're working in partnership with our light rail connectivity and some of the other on and off ramps that capmetro is utilizing for public transportation. So this doesn't mean that texdot is not meeting us part way, but we all have to do our part together to get everything we can to make this generational project as good as it possibly can be. You know, we really have to think about the future. We've got to think about these high school students who have grown up in a world where this is the news every day, where bridges are being flooded out,

where things are catching on fire. Our fire department has been putting out all sorts of brush fires constantly. And so we really have to make sure we're looking at this holistically. He and I have made sure that this resolution is pointed and it's targeted and it has realistic asks that think that we can accomplish here. >> Thank you, mayor pro tem councilmember Kelly, thank you very much, mayor. >> I wanted to offer a brief

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>> I wanted to offer a brief comments regarding my decision to vote against item 45 today, although this item was first presented to the mobility committee, I'm a member of that committee and have been for the length of my term to date. Regrettably had to leave the meeting during the discussion on this item. But if I had been present at the time, I would have expressed opposition to the item. My concern is that any potential delay in the project might result in allocated funds for the project not remaining in Austin. Furthermore, if this council assumes that Texas or campo would be inclined to support future essential projects in our city, while we attempt to delay or obstruct this particular project, I believe we're making a grave error. I've submitted backup for the item that reflects opposition to it, with the backing of various business groups across Austin. I have in my hand here a letter from texdot dated August 21st, 2023, that states a final environmental impact statement was completed for the project in the letter, it says it's available online. The community can review that at my 35 cap excom nextgov or at the tex dot

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excom nextgov or at the tex dot district field office. On those same websites, there's a carbon monoxide traffic air quality analysis. This 276 pages worth that was done in regards to the traffic air quality analysis. I-35 capital express central project on page five of that report, the analysis states modeling results indicate that local concentrations of co are not expected to exceed national standards at any time along any segment of the project. I encourage anyone who may be here today or even my colleagues to review that report if they're interested in it. And I do believe that we don't need to duplicate work that's already been completed or delay the project any longer. Colleagues, I'd like to close with this. Many of you know, I was born in Austin at a hospital right next to I-35. My mom reminded me this morning when we were talking about this item that after I was born and while we were waiting to be discharged, she'd rocked me to sleep while watching traffic on 35. I've been a resident of the city for a

[11:34:40 AM]

resident of the city for a wonderful 37 years, and throughout that time I've witnessed the pressing need for improvements on I-35. I've spoken to countless members of the community that also want to see

those improvements. And although they're not able to be here today, one thing remains clear the improvements needed to 35 have been a long standing issue. And I urge my fellow council members to consider their vote on this matter thoughtfully. Thank you, mayor. >> Thank you, councilmember. Councilmember qadri. >> Thank you, mayor. You know, I think it's important to note that we've been talking about expanding I-35 for decades now. This conversation started almost immediately after the upper decks were completed in the 1970s. Texas has been earnestly planning an expansion since the early 2000 and up until a few years ago, the vision was an elevated ribbon of concrete throughout the heart of Austin. But thanks to but thanks to Texas, willingness to listen to extended extensive community engagement, we're now at a point where the highway will be lowered and engineered with opportunities to better connect

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opportunities to better connect the east side to the rest of the city and deeply appreciate Texas collaborative efforts and know we wouldn't have made it this far without the advocacy and leadership of a certain former state senator who now sits at the center of the dice. I know a lot of our constituent S oppose the project, but also know that council can't simply say no. And that's not what this resolution does. We're simply asking Texas to take one further collaborative step towards our community's adaptive adopted climate goals. We just went through one of the most brutal Summers ever, and that was after another so-called unprecedented winter storm that created chaos across Austin. Climate change is here, and it is clear things will only get worse unless we take urgent action to shift the status quo. Transportation is one of the biggest sources of greenhouse gas emissions and we have adopted blueprints to tackle that and we have more regional plans in the works. So what we're doing here today is asking texdot to consider those to continue working with us to

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to continue working with us to achieve our shared goals and whether the department heeds our asks today, I look forward to working with texdot mayor Watson, my other colleagues on this dais and the community on other aspects of the project, including finding funding for the caps and stitches that are key to reconnecting Austin so I want to thank mayor pro tem Ellis for bringing this item forward and thank you to texdot for considering this request from council. >> Further discussion. Councilmember Allison alter have a of a question I think for %-ptexdot or for our staff. >> I want to understand, you know, in the analysis for the environmental, impact statement, does that include the caps and their potential impact act on greenhouse gases. >> Mr. Ferguson or somebody from texdot, can you join us at the

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texdot, can you join us at the podium? >> She's gonna want an answer. So if somebody could come to the podium, that'd be great. And if you want mind identify yourself, please. >> Council members. Heather Ashley Nguyen, the director, Texas Austin district. The that we perform per cap central accommodates the highway. If caps were funded, we would be undergoing a another environmental analysis this next year, depending on which caps would be identified to move forward with. >> Do you have any sense of what the impact of the caps would be on the environmental impacts? >> I don't that would be a separate study. >> Okay. But as an engineer, there's no I mean, as a layperson, it seems like they would help, I would think, right. >> Yeah. You know, we tucker and I have been talking a lot with the with our experts that are at our division. We have an environmental affairs division that that does air quality studies in attainment and

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studies in attainment and nonattainment areas. And so they're very well versed in these. But I do not know and we've not asked that question. Councilmember alter, in terms of you know, what the caps would do in that air study, but we would do those studies next summer or next year. >> So we did the analysis for the environmental impact without without that, even though that's a key potential mitigation step. And we haven't factored that analysis into our decisions. Thank you. So colleagues, you know this. Thank you, miss. As as policy makers, we are often asked to hold multiple things in our head at once. And I want to, you know, thank everyone who came here to speak and thank the staff that have been working on this project. Ultimately, as we, as we interact in this process, we though as policy makers have to hold multiple things in our head and try to come up with the

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head and try to come up with the right way forward. So on one hand, we can recognize as mayor pro tem Ellis did, that texdot has been working with our community in good faith. They have been listening, they have been making modifications, as has been my experience on a number of projects as a member of campo and as a council member . We can recognize as many of the folks from the chamber who are here from arrow that I-35 is not in the best shape to serve our community. We can recognize that expanding I-35 in particular ways could help with mode shift, which is one of the things that we care about. We also can recognize that our environmental impact statement can't capture yet, other benefits for emissions that will come from fleet electrification or from future vehicle emissions standards. There's a certain amount of art that's going along with this process. On the other

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with this process. On the other hand, in 2019, in a resolution that I authored, we declared a climate emergency for our city. And since 2019, that emergency has just gotten more and more star dark. When we first voted on I-30 five reallocations, it was 2020 at the beginning, you know, of the pandemic. And we would promise all of these processes that we would we would go through part of those discussions. And in every conversation session that we had with the community, we talked about caps and we talked about stitches. And as we as a community have analyzed this project, those have come part and parcel at this point in time. We don't have a great plan for getting us those caps and stitches. And texdot has not yet come up with a way to fund it, nor have we as the city. It's \$500 million without the

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\$500 million without the amenities at this point, which is a real lot to be asking our community. So today I am going to support this resolution because this is too important not to get Wright I think we can take the additional time and get it right and have the analysis. Hopefully we can secure some federal funding and in the meantime, I hope that we can really be leaning into the caps both as a city and with texdot to be able to get there. I've been in a lot of these meetings at campo over time. And those caps and those stitches, you know, there's always the little caveat. But when you talk to the community, they're expecting that and it's and it's, it's, it's challenging for me to hear we're not even factoring what that could mean for the environmental impact. Thank you. >> Further discussion. Councilmember vela thank you,

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Councilmember vela thank you, mayor. >> I support the mayor pro tem resolution and I will vote for it for the reasons so many speakers have mentioned. But wanted to make some additional comments about where I think we are in the I-35 project. You know, I've engaged on this project since really the first day I was in office. This was a priority. The 35 runs right through district four, and my constituents are possibly more affected by this project than than almost at anyone else in in the city. I wish we had more time. I wish we could make additional changes to the project, but ultimately I don't think that texdot will be delaying this project or significantly modifying it. As an attorney, I have an obligation to be frank and honest with my clients. I had many tough conversations with clients who had cross continents to get to the us and apply for asylum. I've had to tell them that their case was weak and they're probably going to be denied. These were tough

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denied. These were tough conversations and but I have an obligation to tell them the truth. Of course I'm still going to fight for them and vigorously defend them, but I owe them the honest truth and I have

that same feeling right now with the I-35 project. This project is almost certainly going to happen . I disagree with the fundamental premise of highway expansions, especially through the hearts of cities larger and larger highways carrying more and more cars and trucks are not the future. High quality mass transit and multimodal transportation that promotes walking and biking is the future . Today's speakers have eloquently highlighted the many valid criticisms of the project, but state leadership wants the I-35 project to happen. The record of decision has been filed. The final environmental impact statement is out. Contracts for the north and south segments of I-35 have been issued construction on the central portion of I-35 south of lady bird lake, could begin as

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lady bird lake, could begin as early as this coming spring. The project is moving forward, and I'm not aware of any legal or political strategy that will stop it. And if that is the reality, we must do everything we can to mitigate the negative effects we must create high quality, multi-modal, idle east west crossings, adding crossings wherever we can along I-35. We must cap as much of the highway as we possibly can, and we must get serious about how we are going to pay for the highway caps. And again, I appreciate my colleague, councilmember Walters, Allison alter's comments in that regard. I know that many austinites oppose this project for very good reasons and will be disappointed to hear this, but feel an obligation to be honest and frank with my constituents and with the people of Austin. We must do everything we can to avoid the worst case scenario of an uncapped capped highway, a trench that would even further divide east and

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even further divide east and west Austin with all the noise, noise, light and air pollution that comes with it. I will say this to reiterate we really we took an important step on the woodland avenue stitch where we had had discussed various options. We kind of went through all the permutations and I think we settled on a final option that it will be will serve the people of the area and in a very cost effective manner. In other words, we can do this, we can move the project forward in a way that mitigates the negative effects. But we have to get serious about the caps and we have to get serious about those east west connections. And I look forward to doing that with with this body. >> Thank you, councilmember. For the record, and by the way, I have requested that that the manager's office and working with texdot that as soon as we can and hopefully at the next

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can and hopefully at the next work session that we have scheduled, we can have a work session related to capping and financing and all of that so that we can have a more thorough discussion with the council

as a whole. Councilmember pool. Thanks, mayor. >> We've been talking about this project for a long time. I remember the initial plans dating back to 2014, which expanded the highway lanes and frontage road east of I-35, taking out many neighborhood homes. The proposal that's moving forward today now instead limits the loss of homes and is a better project because because of the concerted efforts of many folks and it's a better project than it was when these discussions first began with texdot. They're better. They're

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texdot. They're better. They're not perfect, but doing nothing means that we won't realize the communities expressed vision of ricanek acting. Our city. That goal of reconnecting Ann we all hope to achieve by lowering the main lanes of the interstate under caps with multimodal bridges and public space. I appreciate the thoughtfulness in the resolution from mayor pro tem Ellis, but I can't support a delay of the project. I agree with council member vela about being honest and straightforward with the with the public, about the status of this infrastructure project. But we can move forward and mitigate for the negative consequences and that is what is happening. Texdot is working closely with the community on a variety of projects elsewhere around

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projects elsewhere around Austin, including Lang loop 360, farm to market 969 and project connect act, which includes accommodating construction of Austin light rail across I-35 and multiple texdot rights of way. Our work together. Our partner ships with texdot are important and not just locally but nationally and I support our continuing to work in partnership with texdot. >> Thank, thank you. >> Council member. Any further discussion? All those the motion has been made and seconded to approve item number 45. Those in favor if you'll signify by raising your hand. Those opposed the motion passes on a vote of 7 to 3 with council member Kelly pool and the mayor being shown voting no and one absence absent is council member

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is council member harper-madison. Thank you all very much and thank everybody that came out today to talk to us about this important item. Members, because of the time what I think I'm going to do is go to item number 52 to take it up. And if we have time, then I'll go back to 45 on item number 53. I know we have some people here to speak, but we have a 12:00 time certain. So what I'm going to do is may bring that up at 1:00. We will bring up item number 53 at 1:00. That way you'll know specifically when we'll bring that up. I'll call up item number 52. I'll recognize councilmember Fuentes on item number 52. >> Thank you, colleagues. >> Item 52 is a child care rezoning item that I brought forward as my first

resolution in 2023. I'm very pleased and grateful to our city staff for their prompt attention to this issue. We were initially told it

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issue. We were initially told it was going to take more than a year and a half to finalize these changes to our code. And so I'm pleased that today with this vote, we will be codifying these changes which will allow more properties throughout the city to have to be zoned for daycare services. It's going to increase availability by threefold more than 255. So this is one thing that we're doing as a council to address childcare, accessibility and availability. We know childcare costs are a huge factor for many hard working families and in order to make childcare more affordable, we have to make it easier to build childcare centers throughout our city. I want to give a special thank you to Sophia Morales, my director of policy, for all of her hard work on this issue, and assume you're moving. >> Yes, actually, we need to open a public hearing on hang on one second. I'll do that. Without objection, we'll open a public hearing on item number 52, and I'll look to the clerk to see if there's anyone signed

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to see if there's anyone signed up to speak. >> There are not any speakers here with that unless there's objection and hearing no objection, we will close the public hearing. >> Councilmember Allison Alter just wanted to second her motion. Okay, fair enough. We have a motion by councilmember Fuentes, a second by councilmember Allison Alter. Councilmember Qadri. Did you have your hand raised? All right. Well looks like this is going someplace. Is there any discussion? Ann councilmember Allison Alter. >> Thank you. Thank you, councilmember Fuentes for the resolution. As a co-sponsor and this is something that we've been trying to get changed for, for quite some time and doing work to make it easier for our child care centers to locate within our communities. So I'm just very pleased that we're moving this forward. And thank you for shepherding it through this stage of it. Thank you. >> Yes. Any further discussion, councilmember Vela just wanted to thank councilmember Fuentes

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to thank councilmember Fuentes and her staff for coming up with this. >> It's a really great item that I wholeheartedly support and I have to thank the city manager, the assistant city manager and the planning staff for hustling and getting this to council as soon as possible. Child care is probably one of the issues that we hear about it, that families struggle with. You know, we've got to enable it, make it as cheap as possible and this is a great item that will help us do that. >> Thank you. Any further discussion? Without objection, item number 52 is adopted. Thank you. Councilmember Fuentes. Members let's go to item number 44. This was a non consent item being referred to the council by the audit and finance

committee. I'll recognize council member Alison alter as chair of that committee. >> Thank you. I'd like to move passage of item 44 as recommended by the audit and finance committee. This amends

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finance committee. This amends city code chapter four eight regulation of lobbyists relating to communication with the city official and reviews by the city auditor. >> So the motion is made by councilmember Allison alter, seconded by councilmember pool. Is there any one signed up to speak on item number 44? No mayor, is there any discussion on item number 44? Councilmember Allison alter. >> Thank you. I just want to ask to make sure that legal and the clerk will provide updated direction for council on the reporting requirements related to this as well as to the lobbyists following passage. >> I guess we will thank happy to further discussion. >> Hearing none without objection. Item number 44 is adopted with with councilmember Fuentes off the dais and councilmember harper-madison Ann absent. Members. Let's go to items 46 through 51. With respect to items 46 through 51

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respect to items 46 through 51 being non consent condemnation items, is there a motion to the effect that the city council of Austin, Texas, all authorizes the use of the power of eminent domain to acquire the property set forth and described in the agenda for the current meeting for the public uses that are also described Ed therein motion is made by councilmember pool is there a second second by councilmember Velasquez? I'll. Without objection, Ann. Well let me ask, is there anybody signed up to speak on these items? >> No. Mayor >> There's been no one signed up to speak on these items. Is there any objection, any discussion with regard to items 46 through 51? Is that without objection, items 46 through 51 are adopted. Okay. Items 46 through 51 are adopt. Did with

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through 51 are adopt. Did with councilmember Fuentes off the dais and councilmember harper-madison absent members. I'll now call up items 27 and 28. You'll recall those were pulled during our taking up the consent agenda items. Is there related to the convention center ? And I will ask if there is a motion to approve items 27 and 28 councilmember pool makes the motion. It is seconded by councilmember qadri discussion on the items. Yes >> Councilmember Ryan alter I just have a couple of questions for staff at the. Okay. Good morning. Good morning. Morning. I just wanted to get that fleshed out for the public. Y'all had responded to council member Fuentes's question about what your plans were in terms of not only reporting to us, but

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not only reporting to us, but just so the public can understand how this process is progressing. So if you could briefly just kind of highlight what you put in the q&a for everyone's to hear. >> Sure. >> Thank you for that question. Katie's zamesnik, assistant director with the Austin convention center. You are correct. We are planning for a really robust community engagement strategy. This is going to be one of the largest projects that the city has ever undertaken. We do not take that responsibility lightly. We are in the process of soliciting for a communications firm. We're hoping to bring that contract to council in January for approval and they will be assisting us with our communication plan, getting a website set up and just really figuring out how we're going to commune appropriately. And as often as possible with the city council and the community at large. >> Excellent. And as we move through the design phase, I know there are various elements that are in different design phases. I know with projects of these magnitude codes, there are a lot of moving parts. Sometimes we have to either value engineer or, you know, trade this for that. So I just want to ask as

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that. So I just want to ask as as that goes along, if there are decisions being made about community benefits that y'all are able to bring those to us, you know, ahead of time so that we can just have any input as a body since this is a large scale project. So yes, we are more than happy to collaborate with the city council and the community on all of those elements as we move forward through the process. That is great. And then specifically as it relates to phase three, I think it's kind of a different phase as, as it were, of everything else in terms of the where it is in the process. And just similar to the previous conversation as that moves closer to being more concrete early, you know, designs and as that moves along, I just, I know you and I have talked about it just for, for everyone's benefit of our discussion. Burns appreciate you. You acknowledging that that will

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acknowledging that that will also be brought forward to us. So yes, so we are in the feasibility stage of that of that portion of the site and what that's going to look like. >> And just as soon as we have some more information, we will be bringing that forward and making that public. Great. >> Well, I really appreciate your your dedication to being as open and transparent in this process as possible and excited to see where where this goes and the designs y'all bring. So thank you so much. Thank you. >> Councilmember Allison alter. >> Thank you. Appreciate the opportunity to speak with you more about the financial aspects . I do want to just remind my colleagues that we are currently have the 4.5% and the 2% of hot that is going into the convention center and we are accumulating funds over time into to our capital reserves and into our cip that will help us when we're moving forward with the bonding process here for, I do want to just kind of underscore the direction that we raised a little bit in our

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raised a little bit in our discussion on Tuesday. Underlying the desire for the high environmental standards and sustainability standards that we as a council want this project to be reconnecting our community. We want there to be opportunities for the community to come into this space, whether it's for art or music or for our other mechanisms. To the extent that is legal under the funding mechanisms, we obviously want this to be done on time and on budget and in and in cooperation with the other projects that are there with respect to the p3 portion, the other the other section, I would just ask the city manager to please endeavor within the legal bounds to consider ways where the funding streams over time, at some point can be helping us with general fund. I think there are you know models where that would work there are also models where that is partially used for city

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is partially used for city offices. If which would also potentially help with a different way of getting at general funding. Even as we take advantage of a prime spot of real estate and go as high as it makes sense with that. So I would like to, I would like to see that it's been unfortunate with this process that we've had to have so many delays, through that. But I'm hopeful that we can now move forward and hopefully produce a project that will bring our community together and serve many people in our community and those who visit it. Thank you. >> The motion is to approve items 27 and 28. Is there any further discussion? Without objection, items 27 and 28 are adopted with councilmember Fuentes off the dais and councilmember harper-madison absent members. That will take us to our 12:00 time. Certain which is public community action. When public

[12:02:11 PM]

action. When public communication is complete, we will go to live music. And at 1:00 we will take up item number 53. With that, I'll turn to the city clerk on the item related to public communication. >> Thank you, mayor. >> First speaker is Carlos Leon for by Annie Fiero. >> Thank you. Thank you. So rey. >> Carlos Leon. First and foremost, gracias. Adios for letting me speak against antichrist evil in Austin that needs to be defeated asap. I used to attend a weekly men's bible study at Rudy's barbecue at 39th and Lamar then in older, white male agent of Satan, started harassing and stalking me. There in front of you is the

[12:03:12 PM]



me. There in front of you is the complaint I rightly filed with against him with Rudy's and APD documenting his abusive attacking behavior. So Rudy's would tell him to stop it or be banned from the eatery. However Rudy's wrongly rewarded him and punished me. The targeted Christian straight man telling me I was no longer welcome. There therefore, boycott Rudy's any Christian bible study group meeting at Rudy's is supporting Satan. Take your business elsewhere. Put your money where your mouth is. Spread the word on my way to church on Sunday morning, October eighth, the older black female capmetro operator driving route 345, repeatedly told me she'd stab me because I refused to let her bully me or abuse her official capacity. I lawfully stood my ground and reported her assault by threat crime to capmetro and APD in front of you. Now October 15th, she illegally retaliated

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15th, she illegally retaliated by not boarding or transporting me intentionally passing me up at the bus stop. Therefore, make Kathie metro and hold her accountable for her crimes now because these attacks are spreading in Austin yesterday on my way to bible study, another black female driver tried boarding one passenger but illegally refused me service to illegally discriminate against me on public transportation. Then the black African male supervisor called on scene, though he rightly made her born in transport. Me he wrongly told me I didn't have the right to hold up service to defend my civil rights and ensure equal protection under the law protected by the 14th amendment. Bottom line in this antichrist evil targeting me allegedly results from this upside down aspect Ed illegitimate. Obama Biden anti-reality shadow world

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Biden anti-reality shadow world matrix where experiencing that should not exist because November third, 2020 was a stolen rigged election with massive election fraud in true reality, president trump won reelection in a landslide counting each and every legal legitimate vote. One time only with equal weighting, only truth , defeats, lies and god's word is the one and only truth with may god help us defeat this evil and destroy its works in Jesus name, I pray amen. Thank you, lord god bless. Austin, Texas, and the United States of America . >> Next. >> Next speaker is Andy fiyero, followed by Gretchen pierce. If your name has been called, please make your way to the podium. Thanks next speaker for then is bill whitehead.

[12:06:16 PM]

then is bill whitehead. >> I have a presentation. And presentation. Yes, sir. >> Well submitted. Thank you. Council members, for sitting here and listening to me. Appreciate the time. I was going to read this, but found something else to talk about. So well, it's still related. How many people in the room came

here through public transportation? Raise your hand, please. Exactly okay, so my complaint is that this. This city council and this city does not ask for permission from people that that your projects affect. If you bring up the other page of this with the map

[12:07:18 PM]

other page of this with the map on it, there it is. Okay. So if you look at at on the picture on the top, right, there's a two islands right at the end of my street. If you look at the tire tracks you can't turn left on that street. Have a 20 foot long pickup truck. And I hit that thing. It's almost impossible to miss it. Then you came along and if you look at the two, the yellow mark on the bottom down by lemon drive, there's a, I call it a road hump because it's a speed bump. You that was installed maybe about five months ago. And guess that's. Two too slow traffic down. Someone apparently at the school and an administrator at the school complained about people

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school complained about people speeding. That school has been there for 50 years. We haven't had speed bumps in my time. I grew up here in Austin. I spent my entire life except for my military service in Austin. When I was growing up. If someone were speeding, you'd send a policeman out there to run radar at random times of the day to punish the people that were breaking the law. Apparently, the city doesn't do that anymore. You put up road humps, five of them, five road humps within 0.3 miles. I don't know about you. My truck won't go over that speed bump at faster than five miles an hour without tearing something up in my bed. I would like to someone to come and ask me about how the traffic is because my I've lived in my house for 47 years. I bought it

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house for 47 years. I bought it in 1947. In 1977, and traffic has not changed. The neighborhood hasn't changed. The only thing that has changed is you come along and you put sidewalks on. >> Next speaker is Ben Ovard. >> Thank you for your testimony, sir. We'll check with the clerk's office and see if there's someone in transportation that can speak with you. This gentleman right here is going to. Okay now y'all are chasing each other around the room. Thank you. Ben Ovard. Johnny roofer. Brian Morton. >> I'm not seeing them. Paul Robbins. >> I wouldn't miss it. Would you

[12:10:24 PM]

>> I wouldn't miss it. Would you queue up the slide, please. Good afternoon. Council I serve as vice chair of the resource management commission. I have a background in energy and resource management issues going back 45 years, two days ago, the commission passed two motions advising council on conservation programs operated by Texas gas service. This slide. First, based on a national survey, we asked council, which currently regulates these programs, to reduce rebate levels to the national average. This slide shows that the company's water heater rebates are twice the national benchmark furnaces and dryer rebates are three times the national benchmark and rebates for dryer connections burns are granted nowhere else

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burns are granted nowhere else in the country besides affiliate rate companies with Texas gas slide it is estimated that these reductions will save about \$1 million a year to central Texas. Further, we advise that part of this savings be set aside for a pilot program on low income customer assistance. Austin must revise these costs by November 30th to save ratepayers money in the next budget year. This is very easy to do. Annual adjustments to this budget were made routine for decades prior to 2018. Slide our commission passed a second resolution regarding regulation of this company's programs in the future. During the 2023 session of the Texas legislature, the city inadvertently allowed a bill to go unchallenged that

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bill to go unchallenged that allows the Texas railroad commission to regulate gas conservation programs once the rules are set. This flies directly in the face of our franchise agreement with the gas company. When they signed it, it gave authority to council. I question how the gas utility can sign a binding agreement and then actively lobby against it to deal with this problem. We ask council to consider the following. First, ask for a waiver to. Since we've been doing this for, we've been regulating them for decades. Two if a waiver is not granted, then ask for new rules to set strict cost effectiveness standards. Slide this is one of the rebates. Texas gas service has giving. \$325 to buy a gas clothes dryer with a payback in

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clothes dryer with a payback in many cases of over 200 years. Slide and finally. We ask that in future franchise negotiate options the city be given management of these programs too much money has been wasted for too long. >> Thank you, Mr. Robbins. >> Next speaker is Carolyn rose Kennedy. But she did inform us she's unable to be here today. Last speaker is Laura mass. And Gail, there was a time before hello. >> Hi, everyone. My name is Laura Massengale and I'm here to talk about our families concession.

>> And I have a our commercial that we just did, and if you would play that, that would be wonderful. >> What's the time before canyons of high rise condos and aggravating rush hour traffic

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aggravating rush hour traffic when things were a little bit more? >> Well, Austin in 1969, we didn't know we were creating an Austin original, a little bit of paradise minutes from downtown. And you can still experience old Austin at zilker park boat rentals. Zilker park boat rentals offers an easy, affordable way to unplug while floating down our beloved Barton creek. >> Austin's environmental treasure located downstream from Barton springs, pool visit zilker park boat rentals today was the time before. >> So this is this is my dad, Howard Barnett. >> He is the very first Burt contract for boat rentals in the city of Austin. >> He had an exclusive contract at that time and, and he was generous enough to say, okay, everybody come on, do your thing. There's enough space for everyone. What we're, what we're facing right now is that we have four months left on our contract act. And we were promised. Well,

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act. And we were promised. Well, let me read this. The problem is, is that the parks director said she is not renewing our contract. This threat happened immediately following a parks meeting, and as a direct retaliation for me asking the parks board to save a parking lot as it was slated to be removed in the zilker vision plan design. The zilker vision plan was Mcneely's pet project. She also said she was thinking of ripping out all of our buildings in the creek. The hostility with which she said this made me realize what we were up against. So I reached out to some of you to help, but Mcneely responded with an insulting one year extension with an rfp at the end Texas rowing center just got a ten year contract before the vision plan design started, and then we were told that they were

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were told that they were delaying our rfp because of the vision plan design, and we're giving it a two year extension. We were really stuck between a rock and a hard place and took the deal even though it meant purchasing new equipment and maintaining our business in good faith that we would have the opportunity to replenish our expenses. At the end of the day, as we were promised. And I'm hoping that one of you can help us out by giving us more than 1 or 2 years. Don't know if you've ever run a business like this, but. But you can't you can't make plans for the future with a one year runway or a two year runway. How are we going to, you know, right now is the time that we need to be purchasing Lang. New equipment for the community and we can't do that. So thank you. I'm hoping that somebody can help speed this forward with a long longer than 1 or 2 years. >> Thank thank you. >> Thank.

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>> Thank. >> You know, my office has been able to speak with you. I'm sure you've probably contacted other offices. And so we're going to continue looking into the situation to see what we can do. >> Thank you. We're really appreciate it. Thank you. >> Appreciate it. Thank you. And we appreciate your boating concession. Okay. >> Thank you. >> Mayor pro tem. That concludes all the noon public communication speakers. >> All right. Thank you. That takes us to the music proclamation portion of the day. So I will recess the meeting. 12:17 P.M. And as the mayor had said earlier, at 1:00, we will reconvene for item number 53. Bass grooves soul, full

[12:29:30 PM]

Bass grooves soul, full keyboards, drum machines and powerful percussion to create original high energy dance music that resembles is a powerful six piece ensemble. So Henry invisible has played a significant role in the music scene, both locally and regionally, spreading joy and positivity to listeners through his uplifting music and lively performances. As Henry's rule put some sparkle in your soul and Polish your shine. What does that mean? Ann be proud of who you are and love yourself. It's a great way to make a positive change in this world. And if you feel so inclined to celebrate Henry invisible day adorn yourself with something that shines and sparkles. Go for it. >> That's awesome. Thank you very much. >> Thank you very much. >> How are we doing out there. Sounds great about. Seven

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Sounds great about. Seven >> Bounce, baby. Bounce, baby. >> Check out the purple, y'all. Bounce, baby. Mouse, baby. >> Whoo. I just got to know baby, do you want to bounce again? I've just got to know they do you want to bounce again, brother? All right, now, if you tell me so many good role, I'll do the. Good dinosaur man. We could roll

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Good dinosaur man. We could roll through the time. I want to tell around the world. Come on now. Let's bounce together anywhere you want to go. You just got to let me know with you. And I going back forever. Let me. So not the time. Or so there we go, bro. I'ma do with the. Uptown. So, baby, with the roll I'ma do the thing. Who who. Want to bom, bom, bom, bom. Bom, bom, baby. Come on down. Go down. Tonight

[12:33:11 PM]

Come on down. Go down. Tonight tell you the world want to see you everywhere. Got to be tell you my dreams is coming true. When I got to do. Tell. Da da da da da da da da da

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Tell. Da da da da da da da da da da da da da da da da. Da. What about you, baby? Da come

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What about you, baby? Da come on, city hall. Put your hands together. Who. Got the baby. Bounce which baby? On let us

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Bounce which baby? On let us bounce. Who do bounce? Put your baby on, baby Nussbaum. Who how about put your baby on? There's bounce. Who. Bounce on my who? How bounce. Put your baby on the bounce. Thank you very much. >> How wow wow wow. I'm pumped up now that was awesome. >> All right. I'm going to read the proclamation now. Be it known that whereas sent me that the city of Austin, Texas, is blessed with many creative

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blessed with many creative musicians whose talent extends to virtually every musical genre. And. Whereas our 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, I therefore Paige Ellis, on behalf of mayor Kirk Watson of the live music capital of the world, do hereby proclaim October 19th as Henry invisible day. We want to say a few words. Would you like to say a few words or tell people where they can find you? When's your next show? Any of those details? >> Definitely. You can find me anywhere at Henry invisible. >>. Spotify apple. >> Instagram is my jam. >> I even have a Myspace at Henry invisible and. And thought my day was July 20th. >> I guess I get two days. Am I the only musician that gets to day from both now? Well no.

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day from both now? Well no. >> Thank you very much for you guys doing this. And I really appreciate what you've done for musicians. So thank you. Thank you, guys. Thank you, guys. Thank you. Thank you, guys. >> Thank you, Austin. Thank you very much. Sure. Noon, everybody.

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Noon, everybody. >> I will call back to order the Austin city council meeting. It's 1:01 P.M. We have a quorum present. Members the first item we're going to take up is item number 53. Without objection, I will open the public. The public hearing on item number 53. And I will turn to the members. What this is, is a on a this will be on a motion to either adopt grant or deny an appeal. So what I will do is ask the city clerk if she will first call on those in favor of the appeal and then those who oppose the appeal. And at that point, we will close the public hearing. If she heard me. If not, I can repeat myself. >> Yes, please. Mayor, we have some people requesting donated time, so we're just trying to sort that out. Okay >> Fair enough. What we're going to allow members is as as

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to allow members is as as indicated in the message board post donation of up to a total of somebody may be allowed to speak up to a total of six minutes through donated time, which would mean that also the donors and the need to be present at the time of the speaking. >> All right, mayor, we're ready to get started. Let's go. And this group has requested to speak in this order. And so first is Jeff trigger, followed by John bersianik. >> We're going to start with those in favor of the appeal. So if we can do that, then yes, then I will move over to Matthew o'hare. >> And there are two people that are donating time to him. Milena boykoff, you're here and then cannon and so he'll receive six minutes. So Mr. O'hare, you'll have up to six minutes.

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have up to six minutes. >> So the other 30 people that donated time, they have to leave now. >> Well, that'd be one choice. >> So it was a good idea had there. My name is set the clock for six minutes, please. >> My name is Matt o'hare. >> I moved here to Austin 40 years ago and since then I've started a whole lot of businesses here, including vital farms, which began on 27 acres along onion creek that I bought and turned into a farm back in 2007. I believe. Today vital farms, which started with 20 little

hens, employs 442 people and our pasture is eggs and butter are sold in 25,000 stores around the country. Last time I worked with city council on a kind of detail was 1985. I was appointed with eight other people to the town lake task force, and it was a problem. We had at the time as we had the highest regency, which had built right up against the edge of the lake. And then we had four seasons hotel, which had this beautiful setback. And we were concerned about this thing that they talked about canonization of the lake. In other words, we were looking to head towards

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were looking to head towards looking like the Chicago river, which you have these huge buildings along the side. We worked our off for six months, 3 or 4 nights a week, and by the end and all all work along town lake had been stopped, including issuing the permits. By the time we were done, we had written a very thick plan. We had met with lady bird Johnson. We'd met, we wrote this plan for the future of town lake, which envisioned a hike and bike trail which envisioned setback requirements, and that coffee table book became like the blueprint for town lake. I'd like to step back a little bit and, you know, about 70 years before that, a guy named Henry Faulk and his wife, Mattie, were living in here in Austin, and they decided to move way out in the country to a place called we call it today, green pastures. They raised their son at this little farm stead. John, John Henry Faulk, who was an icon for Austin, if you know about him, he helped end mccarthyism and they grew up there in 1940s. They turned this the family turned this into a restaurant called green pastures. Over the years, thousands of couples got married under the live oak trees

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married under the live oak trees there. James beard lived there for a while. Politicians celebrities, this became a great restaurant. But one of the most important parts about it is that they allowed people of color to eat in the same restaurants. It was another 20 years before the civil rights act desegregated the rest of the restaurants in Austin in 2015. This property is iconic. Historic property was purchased by developers who first remodeled the restaurant and reopened it a little while later on March 1st of 2017. These dates are important. A month thereafter, they were approved to build a hotel on the site that did not adhere to the then current compatibility standards. They were able to get by this new this by using a loophole in the rule that had had since been overruled, had been changed. But it was between the gap of the time they applied for the permit and the time they got their permit. That rule had been changed, but they still were able to use that that loophole that by that enabled projects on historical landmark sites, an exception enabling developers to forgo adherence to

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developers to forgo adherence to the code. This provision had been eliminated year before, despite substantial alterations to the hotel designs over the years, the developer remains to this day non-compliant with Austin's compatibility standards. The rule changed less than a year before. No longer can you build a three story 38 foot structure or 16ft away from our homes, in our backyards, which is what is envisioned here. So you can imagine a building, almost two thirds the size of this, right up against your your home 16ft away. Now that same building must be set back 50ft, which is this is the code more than three times the distance granted to those developers in 2017. The property is not located anywhere near downtown, which is another argument I heard. It's 2.6 miles from downtown Austin. Austin according to Google maps and is also not near any other hotels. The nearest hotel, south congress hotel is over a mile away. Where it is located is my favorite neighborhood of all of Austin. Bouldin creek. Beautiful, quiet neighborhood walking neighborhood. You walk

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walking neighborhood. You walk with your friends and neighbors and with the peacocks every evening. This neighborhood is not compatible with 100 room hotel built by developers to profit developers with no benefit for the neighborhood. Our neighbors in the Bouldin creek neighborhood association neighborhood neighborhood. Do not want this hotel to be built. Last year, one of us met and spoke with bcna about this project for the first time. There was universal support for this project in that room. These developers have not ever broken ground for this project. When asked by the city to prove that they had done work in this project, they submitted invoices directly related to their model of the restaurant, which is not part of the plan which had been completed before the issuance of the of this permit. Since the original granting of the permit six years ago, the developers have received two extensions. They meet none of the four requirements to receive an extension at all. Site plan does not comply with requirements for a new application for a site plan. The applicant has not shown good faith but instead has submitted repeated information to the city that is not accurate

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to the city that is not accurate and the staff accepted based on the applicant's word, despite being untrue or misleading, simply submitting a site plan for or applying for an extension does not define good faith. The applicant has not completed any structures. They have the broken ground for any structures, never mind one that is suitable for permanent occupancy, that makes them zero for Shaw on the prerequisite for extension, I wake up many mornings each week to the sound of tractor trailers parked and out in front of my house on south fourth street, which is the entrance also to the entrance to the service entrance to green pastures, which is a tiny little entrance. And sometimes these tractor trailers are backed onto oltorf, waiting for the Gates to be open. There are days when these trucks are backed up all the way. There and this tiny residential street with six homes cannot handle any more trucks. Never mind what we have already find it impossible to imagine what will happen. They increase and they build a 100 room hotel that at this massive increase in traffic to this tiny street. I ask each of you

today to please help save our neighborhood and keep this monstrosity from being built smack in the middle of the place we call home. And thank you for

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we call home. And thank you for your time today. >> Thank you, sir. >> Next speaker speaking for is Simon Eastwood. >> Hello there. So my name is Simon Eastwood. I'm also a neighbor in the in the Bouldin creek. Melanie has dedicated her time to, to Matthew. We've both been working at this for five months. We've come across none Singh, but resistance from the city. Could you put number 15 on, please? Go back one. Back, back. Maybe this is the wrong one. Keep going back. Okay, so I'm running out of time here. So there has never been in, in ten years that we can see at the

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years that we can see at the city, there has never been an extension based solely on on on good faith without ground being broken. In ten years. We found that at the in the application process, this multiple, multiple mistakes have been made including here on the traffic Mok one of the requirements is that the director look at an rta. We can see on this slide that 99 rooms, it doesn't, it doesn't even meet the 103 rooms, 80% on live oak versus 20% on south fourth street for the trucks. That again is a parameter that is wrong. It's probably more like 95 to 5. So based on that alone, this application should be thrown out, not to mention that it is a dormant project which under Texas law. Seven 1404 bill 1704 would make a dormant project,

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would make a dormant project, actually have to go through a new site process, not an extension. There's no ground being broken. It's been eight years. There's no precedent for this. Please either today or not accept this application or put it in review. Go, go and take another look at it. There are problems with this. This application. >> Thank you, sir. Thank you. >> The next set of speakers are speaking against the item and they request to speak in this order. Jeff trigger is first followed by John bersianik, then Ethan Holmes, Laura shearer and Scott walker. >> Good go. My name is Jeff trigger chair of the green pastures board and president of the hospitality group. In 2015, the family that had owned green

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the family that had owned green pastures for decades realized that their current business model was simply not sustainable . They joined with more than 630 local citizens who shared the vision to add overnight accommodations to enhance and preserve this 75 year old hospitality venue to collectively. We worried that otherwise this Austin icon appreciate these lovely comments could very likely fall into the hands of developers to build a private membership club or exclusive residence. Us knowing that our plan to add a hotel to the product mix was requisite for the venture's long term success. We immediately acted upon that we purchased an additional lot determined to be required for storm sewer infrastructure and for emergency vehicle access. We contracted with Austin energy to design the enhanced electrical infrastructure for the new hotel and paid for its installation. We contracted with Texas gas to design the enhanced gas

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design the enhanced gas infrastructure for the new hotel and paid for its installation. We signed a community development agreement with the watershed protection department and hired engineering firm to design the offsite storm infrastructure improvement plan that benefits the whole neighborhood. We worked with and received approval from every relevant city department required to receive a valid building permit. And our plan has received accolades from both the Texas historic commission and the Austin heritage society based on its design and the placement of the hotel on the property. And we did this while protecting the critical root Zones of 94% of the more than 220 trees on site. And of course, all the heritage trees. The Bouldin creek neighborhood association knows all these good faith efforts to be absolutely true, which is why they are not here to oppose the extension of our site development permit and so does the city staff. So does 100% of the planning commission, who, after reviewing all the documents, has ruled in our favor to for this extension, I

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favor to for this extension, I ask you to uphold their decision . Thank you. >> Thank you. Good afternoon. >> My name is John berdnik and I'm the Qureshi accounting and human resources manager. I'm an Austin native and would be remiss if I did not mention that my mom had a bridal shower at green pastures in 1992. While I hope that it is abundantly clear that we've put forth a tremendous good faith effort to develop the property, feel it is important to note that we did so during unprecedented times, which is precisely why we needed more time to begin construction. I was a junior at the university of Texas when the pandemic struck the tech internship I had lined up for the summer was canceled at a time when companies were scrapping their internship programs left and right. Jeff went out on a limb and created an internship position for me. He did this despite the hospital industry being devastated and development works with the city and private sector partners halted now over the last three years, working full time for the Qureshi, I've been able to see firsthand that this was not a one off decision, but rather a consistent pattern of putting employees first. The

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of putting employees first. The worldwide pandemic that shut down green pastures would have caused the business to go bankrupt without federal relief programs such as loans, emergency disaster loans from the sba and Erp X naturals bank banks had little interest in adding more distressed assets to their portfolios during this time, so negotiating a hotel loan was impossible. So we had three employees succumb to the virus. The company lost two restaurants and one hotel management contract as a direct result of the pandemic. Green pastures was a super spreader location and its event business was decimated due to the virus's. Subsequent surges and variants. Business has yet to recover to 2019 levels. I'm pleased to say that despite the inflation and supply chain issues that have followed, we now have completed agreements for both the onsite and offsite construction work. We have also obtained and collected financing from five Texas community banks that are simply waiting on confirmation that the city council has agreed to extend the project site development entitlements to begin closing the loan with your affirmation of the planning commission's

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of the planning commission's unanimous approval, we expect to be under construction in 60 days. Thank you for your time. >> Thank you. >> My name is Ethan Holmes. Mister mayor and distinguished councilmembers, thank you for the opportunity to speak with you today. My name is Ethan Holmes. I am the executive chef at Maddie's at green pastures. I live in district five and I earn my living in district eight. I'm here to request that the council approve our site plan extension for the project we refer to as the green. The inn at green pastures. Excuse me, green pastures. As has been stated previously, is a legendary property with a truly Austin pedigree and history. Places like Maddie's at green pastures. Unfortunately are being slowly eradicated from the Austin landscape. As a native austinite my personal history with green pastures goes back more than 38 years. On my 11th birthday, I was given the opportunity to be the chef for the day there and two gentlemen still work with me today, 38 years later. That I peeled potatoes with on my 11th

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peeled potatoes with on my 11th birthday. Should the council approve this extension for our site development, we would double our employee base and that would give more people the opportunity to thrive in Austin. One other thing I do want to point out is in terms of the three story structure that has been mentioned, there are just to the west of our building, there is a three story apartment building as well. So it would actually be lower than that existing site. But I digress. The one thing I've learned about it, all the countless rehearsal dinners and weddings and memorial services and corporate events that

we've done there is that everyone who comes to Maddie's has their own history and they're either reflecting on that or starting a new one. It is with that knowledge that I come before you to ask you to allow us to continue this project. This is an effort to continue to preserve the legacy of green pastures. Mary Faulk cook my dear friend Ken cook, may he rest in soul and may he rest in peace. And also the work

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rest in peace. And also the work that we do every day to elevate the value of this property to future. Austinites and current residents. So we pray that you would please help us continue this by allowing us to continue the inn at green pastures project. Thank you. Hi >> Hi. Good afternoon. Council. Thank you for taking the time. My name is Laura shearer. I'm the director of operations of Maddie's at green pastures. When we contact the Bouldin creek neighborhood association about the site plan extension, they told us that we they felt we had every right to build the hotel and they were not interested in getting involved. When we expressed desire to visit with our neighbors about this project, they suggest that we invite all the residents on our perimeter and all the people who label themselves as concerned citizens on the city's website to meet to invite to the meeting to air any concerns. Excuse me, we did just that. 19 people attended 16 of our neighbors and three of the people from the concerned citizens list. To our knowledge, none of the people who visited with us that night

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who visited with us that night came to the planning commission meeting to voice any objections. All received direct phone numbers and email addresses of our key staff should they ever wish to contact us. Concern is like noise and light pollution were allayed when the attendees realized that our hotel guests would be sleeping closer to our business activities than the neighbors do between our architects landscape designers and our operational policies, we strive to create a peaceful environment for everyone. Those with parking concerns may have been satiated after they learned that we designed additional parking under the building beyond the originally approved city requirements to increase our parking inventory. One attendee was concerned about how intoxicated people leaving the venue at night after we add the hotel rooms, our guests will be able to spend the night and not have to leave at all. Offering the hotel rooms makes it safer and quieter for everyone. After that meeting, we second we commissioned a second more current independent traffic study which again showed no significant impact to the neighborhood. And one neighbor who happens to be a realtor commented that she feels like

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commented that she feels like this addition makes the neighborhood more walkable and increases property values. In the end, we are truly grateful for how much our neighbors treasure our restaurant Maddie's. They appreciate what green pastures brings to the community. And of course, adore our peacock sentries who meander and charm the neighborhood. I hope they will soon enjoy our dining services. At the end, our new restaurant will offer a coffee bar as well as food and beverage service for our upscale hotel. Upscale hotel guests at the neighborhood. Thank you. >> The last speaker was Scott walker. >> I'm going to yield time to Jeff Schrager. >> Okay. Okay. That's not the way that's supposed to work. >> Just wanted. If there's any questions I've got, we know we can ask questions. >> Thank you, Mr. Walker. Do you wish to say anything, mayor? Okay. Thank you very much, mayor. >> That concludes all the speakers.

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speakers. >> Okay. Thank you. Members. That concludes all of the speakers that are signed up on this public hearing without objection, we will close the public hearing on item number 53 members that this this was a public hearing to consider an appeal regarding the planning commission's decision to approve a three year site plan extension . I'll now entertain a motion to either grant to approve the I'm sorry, either to grant the appeal or or to deny the appeal. Is there a motion, councilmember Velasquez? What is your motion? Huh is your motion is to grant the appeal or to deny the appeal? I'm sorry. Laid out for me? Yes a motion to grant the appeal would be allowing among those who spoke first to prevail and have the appeal. If you

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and have the appeal. If you vote, if we have a motion and a vote to deny the appeal, it would be in favor of those who spoke. Second, that are seeking to build the facility said that. Right. Right >> Yeah, you did. You got it. Yeah >> They're looking for an extension of time and the planning commission denied or allowed for the extension of time and that's being appealed. Eid that's what the motion has been made and seconded by councilmember vela to deny the appeal discussion with that objection, the motion to deny the appeal is granted. Yes. Councilmember Kelly did you I'm sorry, did you have something to say? >> Did not I? I'm voting with you all. >> Okay. Councilmember >> Thank you. >> I was going to vote to allow the extension of time so that.

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the extension of time so that. >> Which is the denial. So the denial of the appeal. The denial of the appeal allows for the three year extension on. I know it's very confusing. That's why I've said it about four times. So I'm convinced myself. I know what I'm talking about. And I'm just about convinced myself.

I know what I'm talking about on this, so but I want to be clear, if any council member. But let me read it to you again that we are considering an appeal regarding the planning commission's decision to approve a three year site plan. If you want to go with what the planning commission did, which is to approve a three year site plan extension, then we would deny the appeal. The motion was made to deny the appeal. It was seconded and think right now it is a unanimous vote to deny the

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is a unanimous vote to deny the appeal, which would allow for the three year approval, the three year site plan extension Ann. Everybody cool? Yep all right. Nobody wants to change a vote. >> Nope. >> Then the motion passes us with counsel, with unanimously, with council member harper-madison. Absent thank you all. Appreciate your being here. Members I will. Now, without objection, Ann open the public hearing on item number 54 for madam clerk. >> Mayor, we do not have any speakers there being no speakers on item number 54. >> Without objection, I'll close the public hearing on item number 54 and I'll entertain a motion with regard to item number 54. Is there a motion? The motion by mayor pro tem to approve item number 54? It's seconded by councilmember pool

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seconded by councilmember pool discussion. Without objection, item number 54 is adopted with council member Harper Madison. Absent. Without objection, I'll open the public hearing on item number 55. Madam clerk, we do not have any speakers there being no speakers on item number 55. Without objection, I'll close the public hearing on item number 55 and the chair will entertain a motion to adopt item number 55. Is there a motion motion made by council member Ryan alter, seconded by the mayor pro tem? Is there a discussion? Without hearing no discussion. Without objection. Item number 55 is adopted. Members without objection, I will open the public hearing on item number 56. Madam clerk. No speakers there being no speakers on item number 56. Without objection, we will close. I'll close the public hearing on item number 56. Councilmember pool moves adoption of item number 56. Is there a second? Second by council member Ryan alter any

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council member Ryan alter any discussion hearing no discussion. Without objection, we will prove item number 56 with councilmember harper-madison absent members. You will recall that item number 57 has been postponed and members the only items that we have before us now are set for a time certain of 2:00 pm. Without objection, we will be in recess until 2:00 pm. It is 1:27 P.M. I will call us back to order.

[2:00:04 PM]

I will call us back to order. >> This is the Austin city council meeting and we are coming back after a brief recess . It is 2:00 pm on October 19th. And we have, of a quorum of the council present members. The items that we will be taking up are 2:00 time. Certain related to zoning and neighborhood planning. And so I will look to staff to kick us off department. >> Your zoning agenda begins with item 59 c-1 for 2023 0026. This is an applicant postponement request to your December 14th council meeting. Item 60 is c-1 for 2022 0090. This is a neighborhood postponement request to your November 30th council meeting. Item 61 is c-1 for 2023 0013. And this item is being offered for consent on all three readings. Item 62 is. 2023 00160.0, one point H. This item

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00160.0, one point H. This item is being offered for consent on all three readings. The related rezoning is item 63 c-1. For 2023 00018. Again, this item is being offered for consent on all three readings. Item 64 c-1 for H 2023 0079. There is an applicant postponement request to your November 9th council meeting item 65 is 2022 0005.01. This item is being offered for consent. Second reading only. The related rezoning is 66 c-1 for 2022 0107. Again, this is being offered for consent. Second reading only. There is an ordinance, but this is only requesting for second reading to allow for further discussions to occur and staff will bring this item back for you for third and final reading at your November 30th council meeting. So 66 is consent second reading only item

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consent second reading only item 67 2023 0018.02. There's a postponement request by council member pool to your November 2nd council meeting. The related rezoning item is 68 c1 for 2023 0019. Again postponement requests by council member pool to your November 2nd council meeting. Item 69 is c-1. For 2023 0041. There's a neighborhood postponement request to your November 9th council meeting item 70 is c-1 for 2023 0020. This item is being offered for consent on all three readings and do have a motion. She that reads at the following prohibited use to part to be adult oriented businesses. So adult oriented, adult oriented businesses will be a prohibited use on this site. Item 71 is c-1 for 2023 0061. This item is being offered for consent on all three readings. Item 72 is c-1 for 2023 0083. This item is being offered for

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This item is being offered for consent on all three readings. This case does have a valid petition, so a minimum of nine votes will be required for all three readings. Item 73 is c-1 for 2023 0045. There is an applicant postponement request to your November second council meeting item 74 is a. 2023 0018.04. This item is being offered for consent. Second and third readings and the related rezoning is 75 c1 for 2023 0029. Again, this item is being offered for consent. Second and third readings. And just to note item 74 and 75 were on your September 21st agenda, but there was an issue with the ordinance and backup. So we're just bringing that back. And this concludes the reading of the zoning agenda. But of course, this is at your discretion. Thank you, mayor and council members, do you have any questions of staff thank you. >> Members. Without objection, we will open the public hearings on on all items that were offered as part of the consent

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offered as part of the consent agenda where there is a public hearing and I will look to the clerk's office to tell us and help us facilitate that. >> Yes, mayor, we do not have any remote speakers that have called in. And so we just have one in-person speaker, Stafford wood speaking on item 70. >> Hi, sorry, this is my first time here. I was hoping to hear somebody else speak first. I have the privilege and honor of representing the best neighbors ever, and I have the privilege because don't have a doctor's appointment or work to go to or anything else. We live here. Here on webberville. We have lived here a very long time. Orbi is my four year old next door neighbor, and Dimond is the fourth generation to live in her home. Mr. Adams moved in when he

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home. Mr. Adams moved in when he was born in 1942. He is the second generation born in that home. And miss tillo was born in the house in 1937. And, we have a parking issue in our neighborhood already. Katy Cohen's and the lost well are already on webberville. It's a small, short little street and four days a week people have to Uber if they want to visit my house because my house, which only has four houses along the two three blocks, is full of cars starting, you know, 4:00 pm and ending in 2 A.M. We have an ambulance and a fire truck problem that Mr. Edmond, who is miss Taylor's son, who is 74 Shaw occasions he has an issue and one of the times that the ambulance came, it had to park at the end of the street because it couldn't get up the street. And the streets in east Austin were not built for commercial traffic. They weren't built for

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traffic. They weren't built for the commercial trucks. Mr. Adams has lost a fence to commercial trucks trying to make the turn and going up on the curb and taking it out. And I've lost a fence to drunk drivers

pulling out kind of at all hours and all these been woken up regularly by the noise on the street, not from the actual bull bars that are there, but from the way people pour out and then congregate on the street. I met Mr. Adams the first time when he was on my property a couple weeks after I moved in and he was picking up trash, which we do every day. >> Thanks. I'm sorry, because your time is expired. Thank you very much. And thank you for being here, Mr. Mayor. Yes, councilmember. >> I just wanted to address. Really? Sure. Someone from my staff will be coming down to get your contact info so we can discuss the parking situation over there off webberville. Thank you so much. Thank you, mayor. >> That concludes all the speakers members.

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speakers members. >> That concludes all the speakers that have signed up to speak on the consent agenda for our 2:00 time certain for zoning and neighborhood plan amendments . Without objection, we will close the public hearings on all of those items. Members the consent agenda that has been put forward and I will accept a motion on is item number 59. Postpone to December 14th. Item number 60 postponed to November 30th. Item number 61, consent on all three readings. Item number 62 on all three readings, the related item, item 63 on all three readings. Item 64 postponed to November 9th. Item 65, consent on second reading only. And the related item 66 consent went on second reading only that will be brought back to us on November 30th. Item number 67 is postponed. Would be postponed to November 2nd. Item 68, which is related to item 67 postponed to November 2nd. Eid.

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postponed to November 2nd. Eid. Item 69 postponed to November ninth. Item number 70 consent on all three readings and that was the item where staff read to you the special motion sheet related to that and prohibited prohib Pichette prohibiting talk for a living prohibiting certain adult uses items. 71 consent on all three readings. Item number 72 consent on all three readings, but we will be looking for nine votes if that is to pass because of a valid petition on item 73 postponed in November. Second item 74 consent on second and third readings and related item 75 consent on second and third readings. The chair will entertain a motion to adopt. Well, let me ask first, is there any item that any member would like to remove from the consent agenda as read? Is there anyone that wishes to be shown abstaining from the

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shown abstaining from the consent agenda as it was read on any item? Yes. Councilmember Kelly. >> Could I please be shown as abstaining on item 72, councilmember Kelly will be shown abstaining from item 72. >> Are there any items that any member would like to be shown as recusing themselves from

voting on the consent agenda. No, I'm just not yet. They want to get all these out first. Anyone wish Singh to be shown voting no and then I'll accept a motion on mayor pro tem. Mayor pro tem moves approval of the consent agenda as read it seconded by councilmember pool is there discussion on the consent agenda? Without objection, the consent agenda is adopted, with council member Kelly being shown as abstaining on item number 72 and

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abstaining on item number 72 and council member harper-madison absent hint with regard to item number 72, there are still nine votes even with the no vote and the absent. So item number 72 is adopted on all three readings as well. All yes. Councilmember vela. >> Thank you, mayor. This is the appropriate time. I'd just like to take a moment of personal privilege. >> Sure. >> Colleagues, I just want to respond briefly to the events we saw earlier today in this room attacking my colleague. Since September 11th, 2001, islamophobe shia has been too common in the United States. Hate crimes are on the rise. I am disgusted to see Austin residents targeting one of my colleagues with this kind of hatred and abuse. In the last few years, we have seen a disturbing increase in hateful acts from anti-asian attacks rising anti-semitism, anti immigrant attacks and gender based violence like today

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based violence like today attempt to dehumanize our neighbors, create hatred and can lead to horrible crimes. As we saw that in El Paso, where a white supremacist killed 23 and injured 22 just days ago in Chicago, a six year old boy, wadiya Al fayyum, was stabbed 26 times and murdered in a horrible act of hatred toward Palestinians and muslims. Islamophobia is absolutely unacceptable. And I can I cannot allow it to go unopposed. I just wanted to get on the record and say that that's absolutely unacceptable and we need to be a tolerant and peaceful and kind society. Thank you, mayor. >> Councilmember Velasquez. >> I'd share my I share my colleague sentiments on this. One thing that I did want to touch on is that I want to thank everybody on this dais. People may be curious as to why we're all wearing purple today. It is go purple day, purple Thursday, a national day is a day of action, recognition and

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action, recognition and reflection around domestic violence awareness month. It's a meaningful opportunity for us to acknowledge the impacts of domestic violence, both as a council and as a community. I want to thank my colleague, council member Fuentes, for her leadership on the proclamation, recognizing October as domestic violence awareness month and express my gratitude for the hard working advocates agencies and our police whose commitment to helping people affected by domestic violence does not go unnoticed by me or this council. It has no place in Austin and no place in

civil society. I want to thank my colleagues for joining in, joining with me to recognize this month. It's a very personal issue for me and thank you. >> Thank you. Council members there being no further business to come before the Austin city council at this regular called meeting of the Austin city council. Without objection, we're adjourned at 2:13 P.M. Thank you all.