

# City Council Regular Meeting Transcript – 11/9/2023

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[9:59:31 AM]

The City of Austin's Government Access Channel it's 10:00 in the morning on November 9th, 2023. I will call to order the regular meeting of the Austin city council. We are meeting in council chambers in the city hall, which is located at 301 west second street in

[10:00:31 AM]

at 301 west second street in Austin, Texas. We have a quorum of the council present. Members we have one council member that's absent. And so for the record, if I fail to call during a vote today, the absence of council member harper-madison, please let the record reflect that we have one council member absent members. The following is the order of the meeting. For today. We're going to hear the consent agenda speakers, both virtual and in person. We will then go to a consent vote with brief comments from members of the council. We will then hear from non consent speakers, both virtual and in person. The non consent items will be any items that are pulled. Also items that are from council committees, which are items 32 and 33. We have an eminent domain item which is number 34, and we have a we have two public hearing items, 36 and 59. What we will do is we will close, we will

[10:01:32 AM]

do is we will close, we will have those public hearings, close the public hearings and take immediate action. Ann I want to clarify again that any anyone that wishes that is registered to speak on a public hearing item and they wish to be heard, they can be heard at the time of the public hearing or they can

be heard at the time. We take up consent speakers. If it's more convenient to them. But I would ask that you please let the city clerk's office over here to my right know about that. You will not be called. We will try not to call you twice if that's what you want to do. As time allows members, we will recess the Austin city council meeting at or near 1030 in the morning. So that we can call to order the board of directors meeting of the Austin housing finance corporation. We will hear speakers, if any. We will act. We will adjourn that corporation meeting and then we will reconvene as the Austin city council at noon, we will have public a time certain for public comment and live music

[10:02:33 AM]

public comment and live music members. I have indicated in the message board that I will need to leave and the mayor pro tem if we're going at that point in time, the mayor pro tem will say before noon, the mayor pro tem will preside so that I can go preside over a veterans day honor of city employees that are veterans or serving right now at at 1:00, we will have an executive session at 1:00. We will have an executive session. And then, of course, at 2:00, we will have the zoning items at a time certain. At this time, I will read into the agenda the changes and corrections to the agenda for members. Item number 25 is withdrawn. An item number 36 is postponed. To November 30th, 2023. Board and commissions actions. Item number

[10:03:34 AM]

commissions actions. Item number 12 should read November 8th, 2023. Read amended by the water and wastewater commission an on an 8 to 0 vote to absences and one vacancy. Those those are the changes and corrections to the agenda that will take us now. Now. To the consent agenda. The before I ask the city clerk to start calling on our speakers members, we have three items 17, 18 and 19. These items will remain on consent unless a member wishes to pull them. But I will need to call upon the law department to come forward, to speak to those items before before we call up the speakers. So 18, 19 and 20. >> Okay, I apologize. >> It's 18, 19 and 20. I said 17, 18 and 1918 and 19 Ann and

[10:04:35 AM]

17, 18 and 1918 and 19 Ann and 23. >> Good morning, mayor and council. My name is Hannah valle. I'm an assistant city attorney with the law department. And I'm here today to recommend approval of a payment to settle a lawsuit and captioned Franck Neil et Al. Versus city of Austin et Al. Cause number N D. 1n006472 and the 455th district court of Travis county, we provided an attorney client privileged memo with the one second certainly. >> Then I turned off my mic to do that. So council member indicate she couldn't hear. I was having difficulty hearing and I turned off my mic in order to tell you that. So I've now made the only two mistakes of the day. I'm going to make, so I will speak up. Well, do

we have we have trouble the other day with the microphones? I just want to make sure we're not still having that trouble. I just shout out, should be good. >> Yeah, that's an old joke.

[10:05:37 AM]

>> Yeah, that's an old joke. >> Okay. So that's much better. >> Thank you. >> We provided an attorney client privileged memo discussing the case and the details of the settlement dated November 3rd. The lawsuit sought a declaration of an implied easement through the city's Kent butler ecological reserve to access the plaintiffs. Approximately 33.4 acre tract just to the north of that tract. And in the alternative, the plaintiffs sought damages from the city's alleged taking of their implied easement. Under the basic terms of settlement, the city will pay \$1.5 million in plus closing costs in an amount not to exceed \$50,000 to acquire the plaintiffs tract. And the legal description of that tract is approximately 33.40 acres of land, more or less situated in the southern pacific railroad coast. Survey number three, the green Mccoy survey number 29, and the patent survey number 656, Travis county , Texas. In addition, the city

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, Texas. In addition, the city would obtain releases of any claims the plaintiffs brought or could have brought in the lawsuit, as well as dismissal of the lawsuit. And the law department recommends you approve payment upon these terms . Happy to answer any questions? Members are there members? >> Are there any questions of legal counsel on this item? >> Thank you. >> Good morning. I'm Greg layard, assistant city attorney. This is item number 19, mayor, mayor pro tem and council members. I'm here today to recommend that you approve a payment of \$575,000 to settle the Fabrizio Bassetti versus city of Austin lawsuit suit. This lawsuit is related to a March 2018 arrest that as we discussed in the November 3rd attorney client privilege memo, Mr. Bassetti alleged to violation of the fourth amendment for false arrest and seeks payment for damages that resulted from the initial arrest . In exchange for this payment. Plaintiff will release all claims against the city and any

[10:07:40 AM]

claims against the city and any officers from any and all claims arising out of the March 2018 incident. Plaintiff will also dismissed with prejudice the lawsuit filed in the united States district court for the western district of Texas. And I'm happy to answer any questions. >> Members do we have any questions of counsel? Thank you, sir. >> Good morning, mayor. And council members. I'm speaking on item 20. My name is Jake petri. I'm an assistant city attorney in the law department. And I'm here today to recommend a payment that you approve a payment of \$1 million to settle a construction delay claim from Jay reis contract. Tirz inc, who was the contractor for the construction of Austin energy's Rainey

street substation project , which was completed in early 2023. I sought compensation for construction delays that it maintains were caused by the city in exchange for that payment, Jay will release the city and its employees from any claims that were or could have been asserted in relation to the

[10:08:40 AM]

been asserted in relation to the Rainey street substation project. The law department recommends you approve the payment based on these terms, and I'm happy to answer any questions you might have. >> Members are there any questions? Counsel thank all three of you. Appreciate it. I'll turn to the city clerk now to start our public comment on the consent agenda. Members. The only items that have been pulled other than the items I've called that are referenced from committee or are eminent domain or a public hearing or item six and 16 Ann. So now we will hear from speakers on the consent agenda. Please please help us. >> We have one remote speaker who is requested. Spanish translation we have our translator in place at the podium. I'm going to call Imelda Ramirez on item 28. Thank you. Thank you. Good morning. Hola. Hola >> Hello. >> Hola. Buenos dias. Es Imelda

[10:09:44 AM]

>> Hola. Buenos dias. Es Imelda Ramirez. Yo, soy proveedora infantil residencial vivo en el distrito dos agradecida. >> Hello. Good morning. My name is Imelda Ramirez and I live in district two and I'm a home based childcare provider. I'm very thankful. For Vanessa Fuentes por ser Una gran leader. I'm very thankful to my councilwoman Vanessa Fuentes, for being a pro leader. >> El cuidado infantil to promote childcare. La rapidez el consejo municipal movido and to see how quickly the city council has moved on. This proposition. Dos este pasado Martes.

[10:10:50 AM]

Dos este pasado Martes. >> After proposition two was passed this last Tuesday. >> Yo quedo Ninos de las ocho Anos. >> I've been taking care of kids for the past eight years. >> También soy mama de dos Ninos . >> I'm also a mom of two kids, so dos Anos de recibido apoyo de programs. >> I've received for the past two years. >> Help from programs. Como avanza jugaba the United Way, such as avanza Garza and united Way. >> Estoy agradecida por ayudarme a Una mejor preparazione. >> I'm very thankful to them for helping me prepare to give a better service. >> Para emprender de appender

[10:11:51 AM]

>> Para emprender de aprender mas sobre el cuidado infantil. >> To learn more about child care, child care. >> Si gracias ahora bajo un Camino para obtener MI licencia. >> And thanks to that I see now a better way. A good way to get my license. Before they said Una casa registrar and to be able to be a registered facility, a facility of a home based child care provider. >> Polgar el proceso. >> Now I'm in the process. >> Christa por conclui. >> That is about to wrap up. De pintada las Paredes en MI casa. And just yesterday I was painting the walls of my house. >> But pruebas a los programas

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>> But pruebas a los programas mas de las licencias to send proofs and a show to the licensing program was so no tengo para pagar alguien ayuda since I don't have money to pay somebody to help me de si estoy aqui para apoyar el articulo 20. >> And I'm here to support article 28 gidseg pronto. >> Gracias. A ayuda that I know that soon. >> And thanks to their help. Micah alguien Alyssa me proceso de license. I will qualify once I finish my certification program. Ken Hawkins barato emprendedora de cuidado infantil . >> Thank you, speaker. Your time has expired. >> Okay. >> Su tiempo termino. Senora

[10:13:54 AM]

>> Su tiempo termino. Senora Imelda, thank you so much. >> Gracias. Thank you. >> Appreciate you being here and helping. >> Thank you. My pleasure. >> That concludes our remote speakers. We will move on to in person. We have William bunch on items two and three with Jose Perez on deck. >> Good morning, mayor. Council members. Thank you for your service to our community. I'm bill bunch, executive director with save our springs alliance, speaking against items two and three that would delay further the implementation Ann of required on-site wastewater and water reuse for large projects. This has been in the making for several years based on our water forward plan from all the way

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forward plan from all the way back to 2019, the development community has plenty of time to prepare and be ready to implement this every day that it's postponed means more grandfathering means literally forever losing the opportunity to save a lot of water on the biggest projects. Maybe you all haven't been paying attention, but we had the least amount of inflow to the highland Lakes ever. Last year. Our water supply is in dire straits with climate change. We have no idea at this moment at how much water we're going to have in the future. This calls for a tiny increment of upfront costs to achieve this enormous long term water savings and money savings for future tenants and whatnot. This is not about affordable city. This is about wasting water and wasting money and it's about rica, the voice of the Austin greed machine. Once again

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Austin greed machine. Once again , Ann having too much influence once on this council, you need to stand up and say no and do the right thing for the long term. Sustainability and affordability of this city. Please don't do this. Thank you. >> Thank you, sir. >> Jose Perez. Items four, five and 15 with Gus pinion deck. Good morning. >> Good morning. I have a prepared comment on items four, five and 15 related to the purchase of a homeless shelter at 5202. >> Ben white boulevard. I would like for the city council and the mayor to go on record and state or identify how many shelter beds they will provide each year and how many full time staff will be on duty to operate the shelter. When operating at full capacity. I think I speak for all taxpayers. Luz when

[10:17:00 AM]

for all taxpayers. Luz when asking for more detail on what the 75 million is attempting to accomplish, my second point can we stop his clock? >> Just a second. The reason I'm stopping your clock is I want to let you have your full two minutes, but this is an office building that's being purchased to be used as an office building and not as a homeless shelter. Thank you for that clarification . >> My second point, please start his clock again. >> The value of the building is estimated at \$15 million, and I think that number should be scrutinized. >> I would like the city council to produce the appraisal documents with the itemized list of amenities on the property, because that's not a \$50 million building nor a \$50 million site. It you all notice that yourselves that it's next to a meatpacking enterprise and it's also about 50% impervious cover

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also about 50% impervious cover and it's a lot of pavement. Please produce or make public the appraisal valuation forms or spend more time shopping around with the \$50 million budget. Thank you. Thank you. Gus Pena and items four, five and 15 with Mike Cannady on deck. >> Good morning. Council members. Gustavo Pena, native east austinite 23, 27 east fifth street. I served with the first, third and fourth marine division . I served also with the first and third marine air wing. I've done everything that I can for our country and our the best of the countries, other countries that needed help out. I'm a member of the vfw, American legion, irs special agent for you cops over there. Okay. So what I want to do is make sure that the people are are helped.

[10:19:03 AM]

that the people are are helped. And that ain't it ain't happening right now. Quit. Quit squirming. Mayor. I've known you for many years. I worked on your. On your hold on your on your campaigns. But I think we can do better and I can do better also. But the thing is, this is it doesn't it's not it's not helping us veterans also. So, okay, it's different for y'all to have been shot at in Vietnam, Laos and Cambodia when I was there. Okay so I'm going to leave it at that. But I just wanted to make sure that the veterans also get the due diligence is get the due diligence, diligence since they don't have homes, they don't have money coming in like some people I'm a former special agent with the irs. I'll tell you, I'll show you my badge again. But the thing is this, is that we need help for our veterans also. But all the people that are poor, I see the need out there for help. Puede!

[10:20:05 AM]

need out there for help. Puede! Ayudar, can you help me? I don't have the power, but I'll ask over there at city council I go to the ledge. The governor wants me to be on his team. I said, ain't no way, boy ain't going to be and I'm going to win that way. But I just want to let you know there's still hurt out there. This has been ongoing before. You were a mayor before you were a senator. Thank you very much for the hard work you do. Please get it. Get it done. We have Mike Cannady on items seven and 21 with Cathy Mchorse on deck. >> Greetings mayor. Mayor pro tem council members Mike Kennedy with the Barton springs conservancy. I'm here to speak on behalf of Barton springs conservancy to support council approval of item seven for the negotiation of the contract for the Barton springs bathhouse project, launched in as a park nonprofit in 2014. The Barton springs conservancy has partnered with the city to help renovate the 75 year old structure, wanting it to be a first class facility for the to

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first class facility for the to serve the needs of the community going forward. For the next 70 years. We're really excited. The project includes some really wonderful new environmental education exhibits that I can't wait to see installed and when people go to the pool, they will now be able to learn about the environmental issues and the history of the pool as part of that entrance experience through extensive community engagement and meetings. The plan currently being put forward to you actually had, I think, counted them ten meetings and surveys through the design phase, six meetings through a feasibility feasibility phase, and then two more meetings with the swimmers. Just last week. This has received substantial public input. The design has been improved as a result of that and I really want to commend both the design team and city staff for working very diligently with this very challenging project to make sure it represents the city in the best possible way. One of the things we learned about Barton springs is it's the most heavily regulated piece of land in the entire city of Austin. So that kind of tells you how challenging this project has been and why it's taken about ten years to get to this point. No doubt some folks are opposed

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No doubt some folks are opposed to it, but we think that a small term, short term fixes are not what we need. We need to rehabilitate and provide a better environmental education experience going forward. There are strong community support not only from previous city councils, but also from the city which passed a bond package in 2012 to include funding for this . There's also been generous charitable foundations and private contributions. So we are very excited to see this moving forward and we urge council to approve the contract negotiations so that we can get the project launched in 2014, early 2014. Thank you very much for your service. >> 2014 passed, so we'll have to amend or excuse me, 2024. >> Wow. Okay >> Thank you. Yeah yeah. >> Cathy Mchorse on item 28 with Michelle Mejia on deck. >> Good morning. Thank you. Mayor council members and city manager. My name is Cathy Mchorse and I'm here representing the Austin Travis county success by six coalition in favor and speaking in favor of item 28. The coalition is comprised of more than 100 local

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comprised of more than 100 local organizations striving to improve school readiness and the quality of early care and education in Austin, which is inclusive of many child care programs. Thank you for taking swift action to consider item 28 to eliminate property tax for eligible center based early education providers afforded by the passage of proposition two on Tuesday. Statewide ballot. As you may be aware, the voters of Travis county overwhelm knowingly supported prop two with a 76% approval rate. One of the highest in the state, adopting item 28 and implementing the measure to the full extent by waiving 100% of property tax for eligible child care providers will ease some of the financial burdens for our early educators. Caring for our most vulnerable children. These child care programs operate on razor thin margins of less than 1% profit margin. So every dollar counts. Working families cannot afford to pay more. The state reimbursement rates are insufficient to cover their costs, and many programs cannot

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costs, and many programs cannot provide staff a living wage. But they are the critical workforce behind our workforce. We're grateful this item includes direction to seek a mechanism for providing similar relief to family based licensed or registered homes. These home based programs are an essential part of our ecosystem, especially for families who are seeking nontraditional hour care for families of infants and toddlers and for families that desire care that reflects their own culture and language. Yet these small business owners experience many barriers to the traditional business and child care supports. We're fortunate to have a city council that recognizes access to quality, equitable child care is essential for a thriving economy . Thank you. >> Thank you. >> Michelle Mejia with Carl Webb on deck. Item 28, Michelle Mejia .



[10:25:09 AM]

. >> Carl Webb. >> Item 28. Anthony Carrillo. Melissa Swint. >> You guys caught me after leg day. Hello council my name is Anthony Carrillo. I'm here to speak in favor of item 28, which helps alleviate costs associated with running a child care facility. First, I would like to thank the whole council for making vital changes earlier this year that will help make it easier to open and operate a school in Austin. I would also like to thank the council for creating this thoughtful resolution in front of us and for trying to find a way to include license homes and license centers operating out of homes in this proposed relief in your consideration, I would encourage the council to consider removing the Texas rising star eligibility eligibility requirements, which I'll talk more about in a

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I'll talk more about in a second. My wife and I opened a brand new school this year and just started enrolling students in January. We are at capacity now with a healthy waitlist, pursuing a conditional use permit to expand capacity by using the empty space that we already have. If you wanted to open up a new school in Austin, you could either lease a commercial space or operate out of a residence. With the commercial lease you would pay in the ballpark of 35 to 50, \$50 a square foot plus triple net maintenance costs. That equates to about 11 to \$15,000 a month on a 3000 square foot space for most childcare operations. Those lease rates are untenable. So the only other option would be to operate at a much smaller scale by becoming a licensed home or a licensed center. These operations are arguably, arguably the ones who need the relief the most because they are operating at razor thin margins. And many of the child care facilities that will open up under the awesome new changes to the land code will be started by career educators operating out

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career educators operating out of a residence. The requirement to be a rated facility will delay the help for any new schools because you cannot qualify for teachers until you've been open for a year. In addition, any financial relief gained through the proposed property tax exemption might be negated by the requirement to have a 20% excuse me, 20% capacity subsidy subsidized by ccs. As an example, I'll thank you for your consideration. Thank you. >> Mr. Carrillo, would you mind emailing the rest of your comments to us? Totally. Thank you. Yeah. Thank you. Yeah. >> Thank you. Look great. >> Millicent Vila with Peter Guzman. Oh, apologies. >> Councilmember alter, I just wanted to clarify that the state proposition Ann actually requires certain requirements for the exemption that's on the non family based care. We will have an open engagement process if our staff are able to

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if our staff are able to identify ways, which I'm hopeful they will for us to provide similar relief to the home based care that those qualifications have not been determined. But we have to follow the state proposition Ann with respect to the first part, thank you. >> Thanks for clarifying that. Millicent Vila with Peter Guzman on deck on item 28. >> Laura Olsen Ken. Ann Welsh. Joao Paulo Connolly. Ben suddaby . Kristy o'brien. If your name has been called, please state your name. >> We have movement. >> Hello, mayor and council. My name is Ben suddaby. I'm the president of afscme. 1624. I want to thank you for taking up item 29 and considering this on your consent agenda, I just want

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your consent agenda, I just want to let you know that I talked to a lot of people, both employees of city of Austin and in the community. I'm a resident of Defoe air ride, the 801. And the 303 37. Talk to my to my neighbors and this reflects the values of our community. Many of your employees here at the city have made sustainable city all the things captured in the imagine Austin plan. Their life's work. They work protecting our watersheds, caring for our trees in the park. They plan on our sustainability going, looking far into the future. And I think the city does really well by setting itself as a leader. We're asking all these large employers in our area to hold themselves to a higher standard to make sure we make these goals and these are necessary changes. And it looks really good for the city to do that. I know speaking personally in my life, for our household, the good telework policy that the county implemented has allowed us to reduce our vehicles mile

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reduce our vehicles mile traveled. You know, whether it's carpooling in a small, fuel efficient hybrid like we did into downtown today or me riding the bus like I'm going to do for the rest of the day those strategies have allowed us to reduce our miles, make our life in line with these goals that we have as a community of making sure that we hit those targets. So again, I just want to thank you for taking this up. Happy to see everyone's who has supported it so far. And hope that you pass that along. Thank you. >> Good morning, mayor. Mayor pro tem, council members. My name is Christy o'brien and with the American federation of state, county and municipal employees. I want to first thank council member Fuentes for leading on this item. I want to thank our co sponsors, especially my council member, Ryan alter. Also want to recognize the planning

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recognize the planning commission for drafting these amendments to be included in the imagine Austin comprehensive plan for item 29. As you probably know, afsome has been in conversations with the city manager's office. We have been and continue to work toward fair policy, telework policy for our city of Austin employees as item 29 really speaks to a way that we can reach our climate action, our mobility goals, our the goals laid out in Austin strategic plan and really helps us kind of get there faster by looking at our telework policy as we develop it. It shows in our opinion, it shows the community that we are committed and dedicated to reaching these goals. So to us, it makes good, perfect sense that we would align these goals with our telework policy. So thank you all again for your time and your service. And we hope to see this

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service. And we hope to see this passed today. Thank you, mayor. >> At this time, I've called everyone that signed up to speak on the consent agenda. >> Thank you very much, members. That concludes the public speaking on the consent agenda. I will note for the record that we had pulled item six and 16, but it's my understanding that the purpose for pulling that item was met with the work session we had so unless there's objection, we would add item six and 16 back to the consent agenda hearing no objection. >> Me mayor, we do have one speaker who signed up to speak on those items, so let's do that. >> Okay? Bill Bryce. Mayor, while he's coming down, council member Fuentes wasn't here earlier, so I didn't mention this earlier. >> I would like to be added as a co sponsor of 29 if she's amenable. Thank you. >> Councilmember Allison also be shown as a co sponsor of item number 29. Mr.

[10:33:20 AM]

number 29. Mr. >> Bryce thank you, mayor. >> Good morning, mayor and council members. >> I'm bill Bryce, senior vice president, investor relations with downtown Austin alliance. I'm here to speak on items six and 16 regarding the purchase of the Salvation Army properties for more than 20 years, downtown Austin alliance has worked to address the issue of homelessness. And I am. I've had the privilege to be the staff lead on this work for almost 20 years. We have worked to improve policy and planning to address homelessness and to ensure that public spaces are safe and healthy for everyone's use and enjoyment. But all of this has been done through collaboration and always in partnership with the city. I'm here representing more than 1000 investment property owners. Their tenant employees, residents and visitors to ask that you delay your decision to vote on the purchase of this property. 13 months ago, we began to see positive change in block 85 and the surrounding area. We began to realize what this area could be after seeing it blighted for nearly two decades, we began to have hope for the possibility of revitalizing this important part of downtown, while better

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of downtown, while better serving the needs of people experiencing homelessness. With this positive transformation and transition in this and other nearby properties, we have the opportunity to renew this area. We know more shelter services and housing are desperately needed and we appreciate the council's recent efforts to increase these resources. But the community deserves assured sense that decisions we make, including large investments to purchase repair and operate this property, are without doubt the highest and best use of tax dollars, and that social services are designed for the future, not the past. You owe it to your constituents, and especially those experiencing homelessness, to make the best informed, cost effective decisions, to maximize investments, to address homelessness, and to ensure the decisions you make help improve the vitality of downtown. The downtown alliance respectfully urges you to delay voting on these items and to take a thoughtful, forward thinking approach that leads to a win for people experiencing homelessness and a win for downtown and the city as a whole. Thank you. Do

[10:35:21 AM]

city as a whole. Thank you. Do you everybody okay, so the consent agenda now, we've heard all the speakers on the consent agenda, the consent agenda will be all of the items plus item six and 16, mayor pro tem, huh? >> Can I be shown as co sponsor on 2029 and 50 for the mayor? >> Pro tem will be shown as a co sponsor with that objection on items 29 and 54. Thank you. I'm going to start asking if anybody wants to pull anything, abstain, recuse or say no. But if we're looking, we're still looking for co-sponsorships, then I'll recognize councilmember qadri. >> Great. >> Thank you, mayor. Want to really thank councilmember Allison alter for all her work on the childcare stuff. And I'd also be I'd love to be added as a co sponsor to that. >> Without objection, you will be any other ones, any other items that someone wants to be shown as a co sponsor of councilmember vela. >> Likewise, I would like to be

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>> Likewise, I would like to be added to the childcare item. Thank you. Councilmember Allison alter, for the timeliness, especially of the item. Greatly appreciated and I would also is this on consent but item 55 on the airport. I think that's also an excellent item. And if councilmember Fuentes allows I would like to be a co sponsor on that without objection. >> Councilmember Bella will also be shown on 29 and 55. All right . Now, let me ask, is there any item someone wishes to pull from the consent agenda as it's been read? Anyone wishing to be shown abstain from an item on the consent agenda? Anyone wishing to be shown as I'm sorry, councilmember pool abstaining on two and three and Ed on serious reconsideration, you may as well add me to a sponsor on the childcare item two. >> Might as well just make it a clean run. Right? >> Well, that's usually what a unanimous vote does.

[10:37:24 AM]

unanimous vote does. >> Yes, indeed. >> But it's item 20, 28, 28. I may have said 29 a minute ago on councilmember vela. So now for those keeping score and there are those keeping score, that's the third mistake I've made today. So councilmember vela on 28 and councilmember pool on 28, councilmember pool will be shown abstaining on items two and three. Councilmember Allison alter. >> So I would like to be shown as abstaining on 1927, two and three, please. Okay >> Councilmember Allison alter will be shown abstaining on two, three, nine, 18 and 27. Any other abstentions? Anyone wishing to be shown recusing themselves from a vote on any of the consent agenda? Anyone wishing to be shown voting no? Councilmember Kelly. >> Thank you. I will be voting no on items two and three 2930

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no on items two and three 2930 and 56. Two, three and 29 and 30 and 56. >> All right. Anyone else wishing to be shown voting no on the consent agenda? All right. Any further discussion with regard to the consent agenda as read? And it includes items six and 16. For the record. That being the case, all those in favor say aye. No. The motion carries with councilmember pool being shown abstaining on items two and three. Councilmember Allison alter being shown abstaining on two three, 19 and 27, and councilman Kelly being shown voting no on two three, three, 29, 33 and 56, and councilmember harper-madison being absent. Thank you members that is the consent agenda. Without objection, we will. Oh, I'm sorry. Let me let me call on people that have signed up to

[10:39:28 AM]

people that have signed up to say a few words about the consent agenda. Councilmember Fuentes then followed by councilmember Ryan alter and then councilmember Allison alter. >> Yes. Thank you. Thank you, mayor. Colleagues, I want to thank you for your support on the airport safety item that we just approved. I just found out this morning that the united States senate is having a congressional hearing on air safety and which our own Austin airport was brought up. And so the seriousness of the critical incidents that we've had at the airport as well as the two tragic deaths of airport employees and airline workers at the airport, has prompted this resolution for us to take action . There are things that we can and should be doing locally. And so this resolution asks for the ramp control system to help guide where planes go to help better navigate out the on on the ground control system is one of those items that we can fast track here locally. Also asking for council to be notified when we do have critical incidents or

[10:40:29 AM]

we do have critical incidents or emergencies at the airport, as well as reaffirming our support for federal safety reforms in which our congressman Doggett and kassar have been out in front on and leading in congress . And so these are a couple of things that we've set into motion. I want to thank our co-sponsors on this item, councilmember Kelly, for her work. Councilmember alter councilmember Velasquez and mayor pro tem and chair of our mobility committee, councilmember Ellis. As well as I think we picked up a couple more councilmember Vella, I think you also added to that. Yes so I just wanted to thank you for that. And I also wanted to thank you, thank you for your support on the telework policy. I think it's important that we as a city of Austin, as an employer model, be an exemplary model as an employer. And showcase what we're doing on our end to help meet our climate goals and hopefully other employers in town will follow suit. So I want to thank you for your support. >> Thank you. Councilmember

[10:41:30 AM]

>> Thank you. Councilmember councilmember Ryan alter, followed by councilmember Allison alter and then councilmember Kelly. >> Thank you very much, mayor. I also want to echo my thanks of councilmember Allison alter on this item and her leadership as well as councilmember Fuentes on on child care. I also want to thank Anthony for coming out. I remember walking his neighborhood. I had the privilege of speaking with him and his family and his very cute young kids and just had a good conversation with them about what they were trying to do. Just to be able to have a child care option in their neighborhood. And that is just so important to be able to increase access and to increase quality. And that's exactly what this item is doing. So I want to thank you for the work you're doing. I really appreciate it. And thank my colleagues for this. I also want to take a quick moment just to talk about the Barton springs bathhouse. I know it's been a long time getting here. I'm excited to see

[10:42:30 AM]

getting here. I'm excited to see where this is going to go. And I'm also want to take a quick moment to thank both the manager and you, mayor, for working with the hillside theater folks to make sure that this doesn't impact them, their operations, and so that we can have some additional funding to make it so the theater can operate and provide a really special experience to our community again next year. So I appreciate all your work. >> Thank you. Councilmember councilmember Allison alter, followed by councilmember Kelly. >> Thank you. On Tuesday, Texas took a historic step when voters across the state voted to enable a property tax abatement for eligible child care centers. With proposition two. This is a sign that Texans and as we heard Travis, people who live in Travis county understand the importance of child care for our working families and our state's economy. Item 28 advances this legislation so that we can waive 100% of the city taxes for these eligible child care centers beginning next year. My

[10:43:31 AM]

beginning next year. My resolution also directs the interim city manager to identify similar relief options for home based providers who are not eligible for the property tax relief under the state legislation. But they form a really critical part of our ecosystem here in Austin. We know that our economy can't function at full productivity without affordable and accessible child care centers. Child care workers make all of the other work in Austin possible, especially our communities. Essential and front line work as federal funds expire, including our own arpa funds, we are on the precipice of what experts call a child care cliff without more funding a Texas association for the education of young children survey reveals that up to 44% of child care centers in Texas could close their doors. I had one. I have one closing in my district at the end of this month. I'm hopeful that this action will help provide more financial stability and support to some of our local child care operators who are currently operating on very, very thin margins. I would like to thank

[10:44:33 AM]

margins. I would like to thank our Austin area representative, Talarico, for his leadership and collaboration with early childhood advocates, which results in the ability for our community to seize this opportunity. I'd also like to thank my co sponsors, my original co sponsors, council member Fuentes Velazquez and Ryan alter as well as my new ones, councilmember qadri vela and pool for their support. And I want to give a special shout out to my staff member, Ashley Richardson, who's been working with us on this for months. I would also like to thank early matters greater Austin success by six United Way. Go Austin vamos Austin Austin. Lgbt chamber of commerce. The greater Austin Asian chamber. The greater Austin chapter of the Texas restaurant association, the central south region of the Texas restaurant association and many more, as well as the folks who came to speak to us today for their support. More transformational investment is needed, and I look forward to continuing to work with all of you to stabilize and expand our child care ecosystem. We simply can't afford not to. Thank you. >> Thank you. Councilmember. Councilmember Kelly.

[10:45:34 AM]

Councilmember Kelly. >> Yeah. Thank you for the recognition. I just wanted to say thank you to councilmember Fuentes for the work that we were able to do on item 55. I really believe that that will bring the necessary safety changes that the community requires in order for us to have a healthy operational airport. And I really appreciate the work that we did together on that. And that city leadership is embracing those changes and we're working with our federal partners in order to help get that done. So thank you. With that, mayor, I'll yield back. >> Thank you very much, councilmember councilmember vela . >> It's a little under the radar, but I just wanted to thank staff for item 31, which is coming off of an item that I had regarding out-of-cycle amendments, just making sure that that we

weren't unnecessarily complicating the processes that we have or rezoning staff moved that item through and then identified another similar situation. And addressed it with item 31.

[10:46:35 AM]

addressed it with item 31. Again, I just really appreciate the initiative and the attentiveness and the kind of the customer kind of service focus. And I just wanted to thank the city manager, the assistant city manager for housing and the director of the planning department. Very much appreciate your your attentiveness and eye for detail . >> Thank you. Councilmember, any one else wishes to speak on the consent agenda? Briefly all right.

[10:48:36 AM]

I will call back to order the Austin city. And by the way, the adjournment occurred at 1049. A M I will now call back to order the regular meeting of the Austin city council at 10:49 A.M. The items we will take up next are items 32 and 33. See item number 32 and 30 items 32 and 33 are items that come from council committees. And according to our rules, we take those up as not part of the consent agenda. On

[10:49:38 AM]

part of the consent agenda. On item number 32, I will recognize council member Ryan alter the vice chair of the housing and planning committee. >> Thank you very much. I move passage of item 32. >> Is there a second second by councilmember Velasquez? Any discussion on item number 32? Without objection. Item number 32 is adopted. That will take us to item number 33, which came from the audit and finance committee. And I'll recognize council member Alison alter as the chair of the audit and finance committee. >> So I'd like to make a motion and then when there's a second, speak to it. So I would move approval of the 2024 audit plan, item 33. >> It's a motion has been made by councilmember Allison alter, seconded by councilmember Leslie pool, to adopt item number 33. The chair recognizes councilmember Allison alter. Thank you. >> As chair of audit and finance , I just wanted to take a moment to applaud the auditor and her team for their exceptional work and assisting the city and city council in identifying unmet needs, implementing efficiencies

[10:50:40 AM]



needs, implementing efficiencies and upholding the integrity of our operations. I look forward to reviewing the audit team's forthcoming work in 2024 on these various critical issues. I would also like to call everyone's attention to our new dashboard board of audits and audit recommendations that provides sunshine and transparency on the status of implementing audit recommendations by department butts. You'll find it on the auditor's website and we look forward to departments continuing to fulfill those recommendations so that we can move everything to implemented. And colleagues, I also want to remind you that if there is an audit that is coming back, that is of particular interest to you, you're always welcome to join us at the audit and finance committee meetings. >> Thank you. Thank you. Council member. Any further discussion on item number 33? Without objection, item number 33 is adopted with councilmember harper-madison absent, and that again, for the record, that's the same vote on item number 32 members. That will take us to

[10:51:41 AM]

members. That will take us to item number 34. Item number 34 is a matter of eminent domain. With respect to item number 34, it being a non consent condemnation item. The motion would be to the effect that the city council of Austin 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 use as described therein. Is there such a motion councilmember pool makes? The motion is there a second seconded by councilmember Vila? Discussion on the item? Any objection? Without objection. Item number 34 is adopted and members that will take us to our public hearings. Item number 36 has been postponed to November 30th. Let me ask, is there anyone that had signed up on item number 36? >> We have no speakers on 36. >> Thank you. Item number 36 has been postponed to November 30th. Item number 59 is the item that was postponed until today.

[10:52:42 AM]

was postponed until today. Relate to parkland dedication. We had a briefing on that at work session and I will recognize council member vela well before I do that, let without objection, we will open the public hearing on item number 59. And let me ask if there's anyone signed up to speak on item number 59. >> There is no one. >> All right. With the members. There is no one that has signed up to speak on item number 59 at the public hearing on item number 59. So without objection, we will close the public hearing on item number 59. I'm now going to recognize council member vela for a motion on item number 59 and then for a proposed amendment members, it is my understanding that there is an additional amendment by council member that's going to be offered by council member qadri the intention of the chair is to have a motion, the main motion on item number 59 recognize

[10:53:44 AM]

on item number 59 recognize council member vela for a motion to amend item number 59. Then recognize councilmember qadri for a motion to amend the amendment that will then take us back to the amendment and then we will take that to the main motion. And I know that's very clear. Councilmember Bailey, you're recognized to clarify what I just did. >> Well, I would go ahead and move past age of item 59 and offer my I'm sorry, I need a second, second by councilmember pool the motion to adopt item number 59 is made by councilmember Rivera and seconded by councilmember pool. >> I will now recognize councilmember vela for a proposed amendment. This will be villa amendment number one. It is my understanding, and councilmember vela, if I say this wrong, please feel free to correct it. But you have in front of you an item that is labeled version two. Councilmember vela motion sheet

[10:54:46 AM]

Councilmember vela motion sheet V two that's correct. >> Mayor. It's the vela amendment version two. It kind of clarifies some of the urban suburban boundaries members. >> You have heard the motion to amend or is there a second, second by council member Ryan alter discussion on the vela amendment? Without objection, the vela amendment is adopted. I will now recognize council member qadri on a motion to amend the amendment. >> Yeah, a motion. A motion to amend councilmember vela's amendment members. >> You have in your back up a motion sheet that has been provided by council member qadri that has both the motion and the justification. He lists two bullet points on the justify motion is there a second seconded by council member Ryan

[10:55:46 AM]

seconded by council member Ryan alter discussion on the motion to amend the amendment, council member qadri yeah, I just wanted to quickly talk about the justification part. >> Our downtown area, which we represent in district nine, has many land types, including single family defining the CBD area as CBD and dmu areas is more appropriate. We worked with staff to create this map to ensure a contiguous area and then to be clear to many folks in district nine, this does not change the 2011 2011 downtown plan in any way, shape or form. >> Thank you. Any questions or further discussion with regard to the amendment? To the amendment? Without objection, the amendment. The motion to amend the amendment is approved. That will now take us back to so to the main motion. So councilmember vela's motion has been amended. It is now. Now we're back to a motion to amend

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we're back to a motion to amend and we're back to the main motion. On the main motion is as amended and just for clarity purposes, it's vela's motion with Kadri's motion Ann on top of it, I recognize councilmember vela. >> I just want to thank parks staff for all the work that we put them through this last ten days or so, trying to get these maps right and trying to just understand the legislation and the calculations. I greatly appreciate everyone's hard work and I would move passage. >> The motion has been made previously made is we are voting on the motion to approve item number 59 as amend and any further discussion without objection, item number 59 as amended is approved. Members that takes care of all of the business we have before the 12:00 time. Certain we will be

[10:57:49 AM]

12:00 time. Certain we will be back Mok at 12:00. We're going to recess until 12:00. We will have a 1:00 executive session and then we will go to our 2:00 zoning without objection, we are in recess until 12:00 pm for our public community. Communication followed by live music. It is. 10:58 A.M. Thank you all. 12:02 P.M. We are still in the

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12:02 P.M. We are still in the city hall chambers and we will reconvene the city council meeting on Thursday, November ninth, 2023. And we will start with our public communication. >> At this time, we don't have any of our remote speakers, so we're going to move to our in-person, starting with Annie stokes. >> Good morning. >> Welcome. >> You could either come up to here to this microphone, just make sure you state your name before you start your remarks. Thank you. >> Good morning. My name is Annie stokes. I'm originally from New Jersey. I was a former president for the black Republican party for the state of New Jersey. I worked with Singh Whitman, governor Thomas kean and Jim florio. I'm now in

[12:03:46 PM]

kean and Jim florio. I'm now in your ability to senior citizen apartments and being robbed. I had to buy a cart to carry things like deodorant and lotion, the leasing office feels that I am the Walmart and because I don't get any rent subsidies or anything like that, my ex-husband was an attorney, so now I'm constantly being robbed and victimized. I moved in in may 26th, first time I've had the police there was may 29th, second time was June 2nd. At every month since then. And you can verify that with 301 and 911. This is intolerable. And I was told by 311 yesterday day that they've had over 59 Ann complaints for the same apartment since may. And as I said, I moved in there on may 26th. I paid the security, I paid, I paid my rent. And I'm constantly being victimized. I'm a senior 74 year old individual, and it's intolerable. It's just

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and it's intolerable. It's just not workable. And it's no way that any any person should be in that situation when the laws are there to protect seniors and disabled and the city owns the property that no one ever comes out to see or to talk to the residents to see how it's doing. You know, I was I was a landlord before my adopted son stole everything I had while I was in a nursing home with a brain injury. And a spinal cord injury. Love is free. And I've been a giver all my life and I feel sorry for my son. And I've forgiven him. But I am tired of your people. So I'm tired of being robbed. I'm tired of being victimized. I bought \$548 worth of food in the month of September, and when I went to church on Sunday, I came back to nothing. Not one piece of meat. You nobody should be allowed to do to people what they're doing. And the city is remiss and not having a liaison that goes to your properties to see that what

[12:05:48 PM]

your properties to see that what people are paying for that are not getting any federal subsidies, flat rent are not being victimized and abused, and I'm bringing this to your attention in person because because as I said, I have worked with Christine Whitman. I understand politics and I understand money. And that's why I was the president for the new Jersey state black Republican party. I understand Washington. I don't understand how a city council and mayor would allow people to be victimized and in your 311 has had 59 calls since may. I moved in may 26th. I have to carry a cart for all. I can't leave deodorant, toothpaste, lotion, dove soap. They refuse to buy anything. And that shouldn't be. Thank you, ma'am. And I hope the city will do something about it next remote. >> We have Gary cross. >> Hello. Hello. Hello hello. My

[12:06:52 PM]

>> Hello. Hello. Hello hello. My name is Gary cross. I'm a retired us army sergeant. First class and a retired software engineer, IBM. I'm calling to return a bit of history to Texas. I'm not a Texan. I'm an American. Canadian, British. We are part of the English culture north of the 48 is pretty much Canada, and that's they identify as European. So that's how I identify American, Canadian, British, I in that culture, as the eldest son, is supposed to step up. And so. When the war broke out in Vietnam, volunteering for the army or joining the army and volunteering for Vietnam was a no brainer for me. I arrived at fort hood, Texas, in 1972, February, and I was assigned to

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February, and I was assigned to an elite us army unit, airmobile infantry, second battalion, seventh cavalry. The seventh cavalry. At that time, had nine out of ten soldiers who had just returned from Vietnam, served with 101st airborne, 82nd airborne, 173rd airborne, and first cav. Only just those four units. Right around April of 1972, there was an event that occurred and from that event I wrote my first book. I'm not here to talk about my book. I'm going to talk about the bit of history that Texas doesn't know about. So right around the beginning of may, some us army veterans that returned from Vietnam and were discharged had protested the war and tossed their ribbons. Now, the tossing of that ribbons, that bit deep, that still stings today I me and

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that still stings today I me and the new guys, most of us privates would get together at formation early morning and talk about it. You know what hell is going on? We'd ask our marvelous sergeants, our airborne sergeants would say, pay no attention. Stay focused and you'll live. And the key was to stay focused for about nine days after that event, we had a battalion formation where we all dressed up in our class-a uniforms. Now the stars not only come out at night, but they come out during the day and every one of them, airborne sergeants, including the first cav soldiers back from Vietnam, were awarded the silver star and so we were out there in formation. And I noticed this sergeant, he had his back to me and he had his combat patch was the first cab patch on his right shoulder. And he had something hanging around

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he had something hanging around the back of his neck. I couldn't see what it was. When three commissioned officers approached him, they rendered a salute and the sergeant returned the salute, sir. And I immediately. Oh, sir. Hello, sir. >> Your time. But I want to say thank you. On behalf of the city of Austin for your service, particularly as we celebrate this veterans day. That's coming up. We have special it's appropriate and meaningful for us to take a minute to say thank you to our veterans. And we deeply appreciate your service as. Next speaker is pat Velasquez. Please come forward. Yes sir. >> Thank you. Mayor. Mayor pro tem, council members and city manager. Thank you for your service to our city during these

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service to our city during these challenging times. My name is pat Valdez and I am a resident of district three. Thank you, council member Velasquez, for being my council member. I also want to thank all of you for voting to increase spay neuter funding. But I especially want to thank council member Bella council member Velasquez. And though she's not here, council member harper-madison for sponsoring

the increase, that was greatly needed, long overdue and I really think it will be appreciated by those of us who want to make our city shelter better. Every year I also want to thank those of you who have recently joined city council and recently appointed people to the animal advisory commission who are making Singh for a very good conversation. This past year. Until recently, I felt that the

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Until recently, I felt that the animal advisory commission was not having not allowing community input, not having good conversation locations, not promoting the interests of the entire city. And there has been a change for the better this past year. There have been Ann spay neuter resolutions is recommended. There have been a discussion about the Austin aquarium, which I understand council member Kelly are going to be addressing that at a later point. And Ed, because it's in your district and also there was a conversation about the zilker park vision plan and that also resulted in a recommendation, although that came after you had already decided to postpone it. But I still thought it was a very good recommendation. There has recently been an an audit of animal services which found some deficiencies which I hope city manager Garza and assistant city

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manager Garza and assistant city manager hayden-howard will work with don bland to address. Because I really do think the fundamental issue is, is that the animal shelter is underfunded, has been underfunded and it needs to get get adequate funding and adequate performance measures. I have been a supporter of no-kill. I continue to support no-kill, but that cannot be the only performance measure we need to have an open intake shelter with performance measures that require open intake. We need to have performance measures that look at the standards of care and we need to have the right number of animal care workers and animal protection officers hours, which was an issue in the past. Audit thank you and thank you very much. Appreciate you. >> John Mcgrady with Anthony Velasquez on deck. Anthony

[12:14:02 PM]

Velasquez on deck. Anthony Velasquez with Kelsey Bose on deck. Kelsey Bose. L Katy Erisman. John Nathan. Luis. That concludes our public communication real quickly. >> John Mcgrady. Anthony Velasquez, Alice Austin. Kelsey Bose aetra L. Katia Erisman. Jonathan Lewis. All right, thank you very much. Members that concludes the 12:00 time. Certain public communication. We will now have the live music and we will have at 1:00 we will go

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we will have at 1:00 we will go into executive session the way the chair would like to do this is we will recess until 1:00 pm at 1:00, we will reconvene. At which point we will announce the executive session in appropriate fashion and go into executive session. And we will have that wrapped up by the 2:00 time. Certain so without objection, the city council of Austin, Texas, is in recess until 1:00 pm. It is 12:15 P.M. Thank you all. Cathy and I were just being

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Cathy and I were just being historians one to the other and talking about some of our favorite times in Austin music and some of it back in the day, some of it back in the day. And we and as we talk, one of the things that she said to me, which is so absolutely true, is no matter no matter how big Austin gets, as she said, we're still a small town when it comes to music and the way we interact with each other. So I'm really pleased to have Kathy Murray and the kilowatts here with us today. And let me just tell you a few things. Her her current album is fully charged and it's charting number one on the roots music report. And she had a successful release in 2018 of her critically acclaimed premonition of love. She's a grammy nominated singer songwriter. So Kathy Murray and the kilowatts maintain their place in the blues pantheon. That helps Austin, Texas, keep that reputation as the live music capital of the world. And she is a great and excellent

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she is a great and excellent singer songwriter. For decades, she's helped keep a spotlight on the Texas capital's music scene. She cut her teeth, and this is part of what we were talking about during the golden era of Austin blues and r&b sharing the stage with the likes of Stevie ray Vaughan and the fabulous thunderbird birds and blues godfather W.C. Clark. In addition, she also took her rightful place among a veritable murderer's row of formidable Austin blues women, including Marshall, Marcia ball, Lou Ann Barton and Angela strehli, along with the kilowatts she shared the stage with headliners of the caliber of Albert Collins, Bobby blue bland, Albert king, Koko Taylor and others. One critic described Murray's soulful, emphatic vocals as the love child of Jimmy reed and Wanda Jackson. Another noted that her music oozes Texas lowdown smooth and sexy blues recent Lee Murray, along with her co songwriters Christopher kid Anderson, Rick estrin and frank

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Anderson, Rick Estrin and Frank Bay, wrote the title cut on Frank Bay's posthumous album, all my dues are paid, all my dues are paid. Received a Grammy nomination for best traditional blues album in the 63rd Grammy Awards and was nominated at the June 2021 Blues Music Awards for 2020. BMA Song of the Year. Murray has received the 2003 Songwriter of the Year award from the Australian Blues Music Awards and two silver medals from the 2018 Global Music Awards. Ladies and gentlemen, it's my great pleasure to introduce Cathy Murray and the Kilowatts. >> Thank you, Mayor Watson, for this incredible honor. I'm truly grateful and humbled to receive this recognition from you and the city of Austin. I want to express my deepest gratitude to all the individuals who have supported me along my journey.

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supported me along my journey. This recognition would not be possible without the guidance, encouragement and inspiration of my mentors, colleagues, friends and family. I would like to acknowledge the hard work and dedication of the entire Austin music community. It is through our collective efforts that we've been able to create a thriving and inclusive musical community. When I formed my first band, Eid, 46 years ago here in Austin, there were no proclamations honoring local musicians. There was no health alliance for Austin musicians, no Sims Foundation ensuring musicians have access to affordable mental health care. No city of Austin music grants, no Austin Music Commission, no music and entertainment division within the city's economic development department. Local musicians were down in the trenches, competing for the very

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trenches, competing for the very few gigs that were available to us. Fortunately, rent and expense bills were low at that time. I split a \$230 all bills paid duplex with a roommate in South Austin and we could scrape by playing music back then, we would have never imagined that. What is happening now with music venues all over town, including at grocery stores and at the airport, the fact that our city council formalized a \$200 minimum pay rate for musicians at city events, demonstrates this recognition of the value of local Austin musicians and the Austin music scene and people have told me over the years that I could find greater success by moving to LA or Nashville or New York, citing the saying that you are never a prophet in your own land and but maybe because I moved so much as a child in a

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moved so much as a child in a military family, I've never been able to stand being away from Austin for very long. And I'm grateful. I have been able to carve out and grow my niche, playing the music I love for all these many years. Once again, I'm deeply honored to receive this recognition and I'm grateful to have the support of such an incredible community. Thank you to the Austin City Council for this prestigious



honor. You're now in for a treat. My super fine band featuring bill Jones on guitar, Michael Desantis on bass and Karen biller on her snare. Today . Are going to play my original song first, do no harm. This song is about kindness that no matter what your life circumstance is, you can always choose to come from a place of kindness. Let kindness be your

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kindness. Let kindness be your guide. First to know how. >> Huh? >> Keep your babies safe and warm. Let kindness be your guide . Yes, hippocrates was right. Be a shelter from the storm first. Do no harm. When you're empty. Distress yes. Feel there's nothing you can do to escalate. Baby keep your cool when dark clouds form. First do no harm. Love is a sweetie motion what's

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Love is a sweetie motion what's more, love is what you do baby, check your action. Let the sun break through before you speak baby always think twice. >> Listen very closely early when asked for your advice. >> Vice be a shelter from the storm. First do no harm. Yeah. Love is a sweet emotion. What's

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Love is a sweet emotion. What's more, love is what you do, baby check your action sun let the sun break through. >> Burn it with the heat of anger. You know that it's a sin to tell your baby down. >> That's a battle you can't win when dark clouds form. First do no harm. Bill Jones. >> Love is a sweet emotion.

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>> Love is a sweet emotion. What's more, love is what you do , baby. >> Check your action. Let the sun break through before you speak. Baby always think twice. Listen very closely. >> See when asked for your advice, be a shelter from the storm. >> First do no harm. For soon no harm. Keep your babies safe and warm. >> Let kindness be your guide. >> Rain. Yes hippocrates was right. >> Be a shelter from the storm first. >> Don't no harm be a shelter from the storm first do no harm.

[12:34:21 PM]

from the storm first do no harm. Harm yeah. Cathy Murray and the kilowatts. >> Thank you all very much. Cathy. Why don't you come over here and I'm going to ask the mayor pro tem and councilmember Fuentes to join me so that we make official the honor that you spoke of. Be it known that whereas the city of Austin, Texas, is blessed with many creative musicians whose talent extends to virtually every musical genre. And. Whereas, our music scene thrives because Austin audiences support good music, produced by legends, our local favorites and newcomers alike. And. Whereas we are pleased as she pointed out, very pleased to showcase showcase and support our local artists. Now, therefore, I, Kirk Watson, mayor

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therefore, I, Kirk Watson, mayor of the live music capital of the world, together with our council members and mayor pro tem, do hereby proclaim November 9th, 2023, as Kathy Murray and the kilowatts day in Austin, Texas. Thank you. Thank you. >> Thank you so much. >> Why don't we go over here and get the council members to come with me and we'll take that down and let's get a picture. Tell us where we can hear you. Tell us where we listen to your

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Tell us where we listen to your music. >> Well, you can hear us live at c-boy's heart and soul at 2008, south congress in Austin. It's our favorite place to play, and we're there the first Saturday of every month, and we're going to be there this Saturday. >> Oh, great, great. >> And, you know, we've we've haunted most of the venues. That's that's why you and I were talking about. >> I love that. Okay. One more time, tell us where and tell us like on social media, how do we follow you on social media if you just Google Cathy kilowatts, our Facebook page, our website, all that stuff, that's where we show up and our music is available on all major streaming platforms and Amazon and cdbaby and locally. >> We prefer people to buy locally from Antone's record shop. >> That sounds good to me. Yes Cathy Murray and the kilowatts. Thank you, sir. Thank you. Appreciate you very much. Good afternoon, everybody. It is

[1:00:06 PM]

Good afternoon, everybody. It is 1:00 pm on November ninth, 2023. I'll call back to order the Austin city council at this regular scheduled meeting. The city council will now go into a closed session to take up one item pursuant to section 55107, one of the Texas government code . The city council will discuss legal issues related to item 57. The confidentiality of police officer personnel files. Item 58 is withdrawn. Ann. Is there any objection to going into executive session on the item that was announced? Hearing none. The council will now go into executive session. We will be back by if we finish the executive

session before 2:00. I will come in and announce that we have finished the executive session and without objection, we will be in recess until 2:00. If we don't finish before 2:00, we will end the executive session. Even if it's just a

[1:01:07 PM]

session. Even if it's just a recess at so that we can be back out here by 2:00, which is our time. Certain for zoning items with that, we are in recess. It is. 1:01 P.M. I'm sorry I said recess. We're going into executive session. It is. I'll call back to order the

[2:00:16 PM]

I'll call back to order the Austin city council for this regular meeting of the city council. It's November 9th, 2023, and it's 2:00 pm. Members I'll announce for the record that we are out of the closed session. We were in a closed session to discuss legal issues related to item 57. Item 58 was withdrawn and that executive session has been adjourned. The next item on the agenda is our 2:00 time. Certain of zoning and neighborhood plan amendments. And with that I will recognize staff. >> Good afternoon, mayor and council. I'm Eric Thomas with the planning department. Your zoning agenda begins with item number 40. Case number. 8140601750.05. This item is being offered for consent on all three readings with the following amendment to be read into the record. Amend part five to add at the end of the paragraph the following or that portion dedicated as right of

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portion dedicated as right of way. Item number 41 is NPR. 2023 00300.02. This item is being offered for consent on all three readings and the related rezoning is item number 42. Case number c14 2023 0042, which is also being offered for consent on all three readings moving on, item number 43 is case number c14 2023 0037. It is being offered for consent on all three readings. Item number 44 is case number c14 2023 0032. This is a neighborhood postponement request to your November 30th council meeting and this is the neighborhood's first request item 45 is a related case to item number 44. In the case number is c14 2022 0100. This is also a neighborhood postponement request here. November 30th council meeting. We may have a couple of oppositional speakers here for items 44 and 45. But again, these are just being

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again, these are just being offered for consent postponement today. Item number 46 is case number c14 2023 0098. And it is being offered for consent on all three readings. Item number 47 is case number c14 2023 0081. And this item is also being offered for consent on all three readings moving on, item number 48. Is c814002063 0.10. This is a staff postponement request to your December 14th council meeting. Item number 49. Case number c14 2023 0079 is a historic rezoning case and it is being offered for first reading of the staff recommendation. Ann. This is an owner initiated request and it is recommended by the historic landmark commission and staff. But this case is moving forward with no recommendation from the planning commission. Again, the staff recommendation is being offered on first reading to grant the landmark. The next item is

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landmark. The next item is number 50. Case number c14 20. 23 0041. And it is being offered for consent on all three readings. Item number 51 is c14 2023 0058. This item is being offered for consent. First reading only the final two items on your agenda today are listed on the addendum. Item number 60 is NPR 2023 00180.02. This item is being offered for consent on all three readings, and the related item is number 61 c14 2023 0019. This item is also being offered for consent on all three readings. This concludes the reading of the agenda and of course this is at your discretion. >> Members, let me ask if there are any questions of staff before we seek any of the speakers. All right. Thank you very much. Do we have speakers? We do. >> We'll start with remote. >> Hang on one second. Let me say to the speakers that if you

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say to the speakers that if you are signed up to speak on this consent agenda on the zoning consent agenda, and the item that you have signed up to speak on is being offered for postponement, you are entitled to speak if you like, but it's as to the merits of the postponement only. So please limit your comments to the merits of the postponement. Please help us navigate this city clerk remote. >> We have Ruth Lauer speaking on the merits of the postponement of item 44. >> Hello, this is Ruth Lauer. I'm speaking in opposition to items 44 and 45. I'm supporting the postponement, yes, but I would like to add to the postponement that it be that we have an opportunity to see if the transportation department has offered the second entry to the road, which I support the staff recommendation, but do not support the what was brought

[2:05:18 PM]

support the what was brought forward at the zap. I guess that's all I have to say. I support the postponement, but I would like it the developers to and the city to provide comments on the

transportation aspects of it. Thank you. >> Thank you. >> Goodbye. >> In person. We have Jeff Dickerson speaking on the merits of the postponement of 44 and 45 with Karen Fernandez on deck. >> Karen, are either of those people here. >> Okay. Moving on to item 49, we have Catherine Goring. With Dave Anderson on next on item 51. Council, Dave Anderson representing the owner, just here to answer questions if there are any, on the item.

[2:06:19 PM]

there are any, on the item. >> Thank you. >> You should run away when you say we can ask you a question. Fair enough. No no, I'm teasing. Yeah I think you had. I think your instincts were right. >> That concludes all of our 2 P.M. Public speaking. >> Great. Thank you very much. Members let me read the consent agenda and then I'll ask for a motion on the consent agenda. Well let me read it and then I'll ask for a motion and I'll ask if anyone wants to pull an item. Item number 40 is on all three readings with the amendment and as amended and you heard the amendment that was read into the record by staff item 41. And it's other item. The one that's related to it is item number 42. Both items would be for all three readings for item number 43 on all three readings. Items number 45 and the related item number 40, I'm sorry, 44. And the related item number 45, the consent agenda would be to postpone these two items both until November 30th, 2023. On item number 46, it

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2023. On item number 46, it would be for all three readings, 47 for all three readings, 48 it would be a postponed to December 14th, 2023. Item number 49, it would be consent on first reading only and it's of the staff recommendation on item number 50, consent on all three readings, item 51 is consent on first reading only, item 63. All three readings. Item 61, all three readings. I'll entertain a motion to adopt the consent agenda as read made by council member Fuentes. It is second by councilmember Qadri. Is there any item a member wishes to pull from the consent agenda, as it was read? Is there anyone wishing to be shown abstaining on one of the consent agenda items? Is there anyone wishing to be shown as recusing themselves from a vote on one of the consent agenda items? Is anyone wishing to be shown voting no council member Velazquez on 50, please. Councilmember Velazquez will be shown voting no on item number

[2:08:21 PM]

shown voting no on item number 50. Any other for folks that want to be shown voting no on any of the items. That being said, without objection, the consent agenda is approved with council member Velazquez being shown voting no and council member Harper-Madison being absent members there

being no other business to come before the Austin city council. At this regular scheduled meeting, we are without objection, we are adjourned at 2:08 P.M.