

Regular Meeting of the Austin City Transcript – 11/30/2023

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[10:00:15 AM]

Good morning, everybody. It's 10:00 a M it is November 30th, 2023. And I will call to order the Austin city council for this regularly scheduled meeting of the Austin city council. We have a quorum present, but we are meeting in the city council chambers located in city hall at 301 west second street in Austin, Texas. I anticipate we will have other members with us, although I do not anticipate, except maybe sporadically, that we will have council member Ryan alter with us. For those that don't know their little baby boy, their third child was born this week. And so it's a wonderful, wonderful thing to report. Yeah do that. So if he does show up, it's probably inappropriate. So in any event, we congratulate him and very

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we congratulate him and very happy for all of them. With that , let me walk through the order of the day. What we're going to do is we're going to hear the consent agenda speakers, both virtual and in person, and then we will go to a consent vote and have brief comments after that from members of the council. We will then hear the non-consent speakers, both virtual and in person. We will take up non consent items. Those non consent items are the eminent domain items and the public hearing items as eminent domain items or items. 80 and 80, 80, 81 and 82. The public hearing items are 84, 85, 86 and 87. And we will have the public hearings. We will close the public hearings and take immediate action. Let me clarify, as I do each week, that anyone registered to speak on a public hearing item will be heard during the non consent speakers and not with the

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speakers and not with the consent speakers unless you want to be heard with the consent speakers, but you have the opportunity to be heard at the time of the public hearing. So if you've registered Ed, please make sure that the city clerk's office knows when it is you think you will most want to testify as time allows, we will recess the regular meeting and call to order the meeting of the board of directors of the Austin housing finance corporation. Ann. We will hear speakers, if any. We will act and we will adjourn that corporation meeting that is set for a time certain of 1030 and we will do our best to hit that time. We will hear the noon public comment. We will have live music and then we will go to the 2:00 at 2:00. The 2:00 time certain with regard to zoning items, I'm going to read changes and corrections into the record item number 23 has been withdrawn. An item number 53 has

[10:03:20 AM]

withdrawn. An item number 53 has been withdrawn. And for those keeping score, item 19 been an item 21 have been pulled off the consent agenda. Members we also have as part of late backup some appointments to be made to various boards and commissions. And because of when there be when they were provided, they didn't make it to the late backup. So I need to read them into the record in the for the commission on veterans affairs, Philip Reichert by council member Kelly human rights commission sarine Passaro parthasarathy by council member Kelly library commission. Steve Derosa by council member Kelly public safety commission Ann Bernard or Bernard Bernard hermsmeyer by council member Kelly water and wastewater shwetha pandurangi by council member Kelly. As part of that,

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member Kelly. As part of that, the motion will include approval of a waiver of the residency requirement in section two. Dash one dash 21 of the city code for the services of Serena parthasarathy on the human rights commission. Those are all the changes and corrections and late backup that need to be read into the record. As I indicated, the items that have been pulled from the consent agenda are items 21 and items an item item 21 and item 19. With that, we will go to the speakers on the consent agenda and I will turn to the city clerk for help and assistance. >> Thank you, mayor. At this time, there is no one remote, so we'll go to in-person speakers. William bunch speaking on item

[10:05:24 AM]

William bunch speaking on item 60, also registered for item 19 and 21. >> Take it off. >> Thank you, Mr. Bunch. >> Thank you. Martha cotera. I'm sorry. Zenobia Joseph on items 2452 and 54. I'll move on to the next speaker. Sandy Ramirez on item 54 and 74. Wright for the two minutes,

[10:06:28 AM]

Wright for the two minutes, right? >> Yes, ma'am. Would you please call who's next? And the next two speakers. So they'll know there are no other remote speakers at this time or in person. >> Okay. >> Thank you. I'll find out. Are you speaking on an item? >> Yes. >> Which item? >> 54. >> And the two items that council woman Mckenzie. Kelly put forth. But I'm also bringing light to the to the I'm support of. >> Please go ahead then. >> First, I want to thank everyone for coming out and listening. We are currently. 520 plus officers short. I feel that the council really doesn't take

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the council really doesn't take into account the citizens didn't expect to be out here this quickly apologize. In 2006, a property was purchased for \$20 million, 16 acres over at saint John's. And it was spent to be for a substation. The bond was approved. Sorry nothing's happened. What I've seen. Are you going to look at my notes? What I've seen from you all is divisiveness. You don't listen to the people that come and vote for you yourself. Mayor you stated that you were in support of our police when you were running. We haven't seen that. The contract was one of the best in the state and you guys just nixed it. Miss alter and miss Kelly were the only ones in support. Even though miss alter went ahead and helped defund the police. The rest of you all pretty much don't care. Miss Poole's home initiative amendment will push me and my family out if that takes place,

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family out if that takes place, it is unfair that the citizens are not being heard. I know that miss pool is kind of in bed or has the ear of the developers. The couple that came in and put that idea forth. It's not fair. Our infrastructure is suffering. Water street drainage to be to be pushing that and then to do another special research study, waste more money. So we're back to square one and the people get pushed out. Homelessness. Oh my god. Ed \$515 million. What do you guys doing with that? You know, we need police. We need safety for everyone. Crime doesn't care if I'm libertarian Republican, Democrat. When it happens, it happens. My car was stolen, you know, from my driveway. >> Mayor, we have one remote speaker that just called in. >> Okay.

[10:09:32 AM]

>> Okay. >> Zenobia Joseph speaking on items 24, 52, 53 and 54. >> I am not talking. And don't forget. Thank you, mayor council. >> I'm Zenobia Joseph and I just want to mention mayor. Hang on, hang on, hang on one second. >> We'll start. Stop her clock. Will you please complete your presentation? Thank you. All right, miss Joseph, I'm sorry to have interrupted. We've reset the clock for two minutes, okay? >> Yes, mayor, I,. This is Zenobia. Joseph. I just wanted you to know there's a posting error, and I would ask you to repost the awesome housing finance corporation item went in person just before 7 P.M. Last night to register position against the Katy lock item. But that was not actually posted, so it just had the regular board meeting. So there was no way for the public to actually register

[10:10:34 AM]

the public to actually register to make comments. So I just want to call to your attention. You remember house bill 2840. It's specifies, quote, a governmental body shall allow each member of the public who desires to address the body regarding an item on an agenda for an open meeting of the body to address the body regarding the item at the meeting before or during the body's consideration of the item unquote. And so I would ask you to just comply with state law and repost that as it relates specifically to the item ten and 11, I just want you to remember that the saint Andrews episcopal deal is 80% area median income. It will benefit the people at nxp, but it's above the income level for African-Americans, which earn about \$42,000. Is that my time. >> You still have 38 seconds. >> Okay. I just can't hear. I'm sorry. So I was just trying to get you to recognize this is a

[10:11:35 AM]

get you to recognize this is a violation of title six of the civil rights act of 1964 because it would prohibit African Americans from benefiting. And as it relates to housing works and the Austin tenants council items, Austin tenants council had a review by Travis county. And so the \$900,000 that you're allocating there, I would ask you to take a look at what the auditor said and to comply with the federal law. I'm not sure how tenants are supposed to get rental assistance through Austin tenants council because they're not lawyers, so they can't give advice. So this is not the best use of the government's money. And I'm in opposition to 54, which is the candlewood suites item. >> Thank you. Thank you. Your time is expired. >> Love Leslie. Answer them at this time. >> Mayor. We have an in-person speaker that was called earlier, but is now here. They were registered for item 21. Martha cotera. I'm not sure if she wants to speak at this time. >> Ms. Gutierrez you can speak at this time or you can speak after we pass the consent

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after we pass the consent agenda. When we call up that item. >> Oh, very good. I was going to ask ma'am, he can't hear you. >> Was I was going to ask to speak not only for my time, but for the time of

the people that are no longer with us that worked so hard to protect our shoreline, specifically on the south side, since the north side, thanks to east Austin, active list some of whom are no longer with us, was protect. It was well protected up to this point. We don't know what's going to happen with Iraq or if Iraq gets its way anyway. It was a south shore, the south shore that we were most concerned about. And so I was going to ask for time to express the concerns of people act artists

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concerns of people act artists who worked on the town lake parkland corporation board. With me, volma Overton, Rebecca crenshaw. Hey, Mike. Eatman and of course, many, many others that were the activists behind protecting the entire shoreline. So I don't know if you want me to speak later or or to have my say right now. Well, you've been we've been recording your your say right now. Now I'm also losing my hearing, by the way. >> Well, let me let me help with that as best I can. Please go ahead and finish your testimony, if you will, or we can preserve a minute of your time. You spoke for a minute for at at when we bring up the specific item. But you have a total of two minutes. >> Well, I will be glad to speak later if it's okay. >> Well, you'll have a minute at that point in time. >> Oh, well then I better talk

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>> Oh, well then I better talk now. Yeah. So so I just wanted to say Shea that I can't at the time, at the very time that the ballot measure was was going, was being considered at and passed to be put on the ballot without any public input, without review by, by the people. The overlay commission. I talked to Linda Guerrero without review by the park board at that very time. The New York Times came out with an article and not the very best thing about Austin that Austin was one of the top cities for inequities in tree canopy and it's right here in the New York Times. I saved the article because it was so ironic that at that very time the council was voting to actually actually give up park land that would when the

[10:15:42 AM]

land that would when the facility is removed, provide additional tree canopy, you know, and access to the shoreline which is fast disappearing. Ms. In south Ms. I apologize, but your two minutes is, is over. >> Mayor have a have a question. Miss cotera, can you councilmember Fuentes has a question. >> Hi, good morning. >> My question for you, miss gordita, thank you for joining us today. Can you share a little bit about how this piece of land became parkland? Some of the historical insight as to how this became parkland for the city? >> Yes. Thank you very much, Vanessa, for giving me this opportunity as and Jesus Jesus will will vouch for this. When the highest rate when there were a lot of things that were alarming us in 1990, 1980. And you know, this was Dan Davidson's tenure as city

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Davidson's tenure as city manager. And one of the alarming facts was the was that the ymca, there was a proposal to develop to have a massive development of the ymca. Then in 82, the Hyatt regency was completed, taking away more than three acres of land from the shoreline and impacting people's access to the shoreline. And so all of us were very, very concerned. Dan Davidson pulled us together right before he left, you know, and he said, along with his policy aides, that we needed to do things very quickly to protect the shoreline. And in the in the consequence of all of the actions that we took in the next decade, I and my husband and were honored by being named town lake heroes. And that was something that that was a big honor that we shared with all the activists at the time in a way, we established the town

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way, we established the town lake parkland corporation board or say the city did. And it was run by the city. And as I mentioned in the five of us were working on that. And our purpose was to buy was to identify as many of the properties as we could on the south shore and to make attempts to buy them, to acquire them from the city, for the city, and to figure out ways in which the city could pay for this. And of course, the land that we owned already, like like it happened on the north shore. Every piece of property that the city owned was then dedicated parkland, whether or not there were facilities on it. So in this case, there was a maintenance facility, but the lot 25, 25 was dedicated to parkland. So the city, instead of giving up parkland, was acquiring as much as possible to protect the shores. And that

[10:18:44 AM]

protect the shores. And that that is the irony on the north side. As you know, all of this land was protected. We even agreed. East Austin agreed for the convention center to go on on the site that it's on in order to protect you know, open space. And the shoreline right here on this part of Cesar Chavez. So sacrifices were made so that the city, the residents could could enjoy the parkland. And I have a lot of a lot more to say about miss cotera and we greatly appreciate you, but I'm going to need to ask you to finish with your I just want to say one more thing, because I have you know, everybody knows the problem with this with this issue, but but I want to say that the reason that I'm working in my 80s, my husband also is so we can pay our taxes and we're

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we can pay our taxes and we're not paying the taxes so that corporates could walk away with our parkland. We're paying our taxes so that we can afford to buy parkland if we want parkland at a fraction of the cost of one acre. And we're giving up. And that if we need to build facilities for the east side or for part, we go and bomb us. We don't take away people's parkland. Thank you. Facilities we don't give up. Auditorium sure to miss Kotara. >> Thank you very much and we've we appreciate your service to our city east side should not be forced to give up parkland because we don't want to spend the money. Thank you very much, mayor. >> We have one other speaker signed up on pulled item 21, Richard. Subtle. >> He's indicating he's not going to speak. That concludes the speakers for the consent

[10:20:48 AM]

the speakers for the consent agenda for both remote and in person. Thank you very much. Members what we will do is we will take up items 21 and 19 off the consent agenda. You have heard the consent agenda. There are no other speakers on the consent agenda. Let me ask, is there are there any other items that any member would like to pull from the consent agenda as it's been laid out? Is there anyone wishing to be shown as abstaining from a vote on the consent agenda? Councilmember vela. I'm so sorry. >> We one moment. I'm sorry. I filed the document, but the item number, I'm not sure if is it an abstention or a recusal? It's a recusal. I'm sorry. Okay >> Anyone wishing to be shown abstaining on an item, council member Allison alter think it's on the consent agenda? >> Item 54 Shaw. I'd like to be abstaining. >> Okay. Councilmember Allison alter will be shown abstaining

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alter will be shown abstaining on item number 54. Any other abstentions? Recusal do you have the number? It was item 53, but it's been withdrawn, so no need for me to recuse then. Any other recused Ralls? Anyone wishing to be shown voting no on any items on the consent agenda? All right . Then is there any objection to adoption of the consent agenda? Hearing none. The consent agenda is adopted with council member Allison alter being shown as abstaining from item number 54 and council member Ryan alter. Absent members. That will take us to item number 21. I'll recognize councilmember Allison alter, who pulled item number 21. Mayor excuse me. >> Before we go to 21, where are we going to do consent? >> Remarks oh, I'm sorry. >> We were I'm sorry. And so no, I'm happy for you to do that. Okay please. Thank you. You have the floor.

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the floor. >> Thank you, mayor and members, I want to highlight two items that just passed on our consent agenda that I authored. Item 74 approves a resolution directing the city manager to explore options for providing space for public safety purposes as a community benefit element related to

density. Bonus programs and planned unit developments. I want to thank my co sponsors council member vela councilmember Ryan alter and council member Velasquez for your assistance with that. I also want to highlight that we had a lot of thoughtful input on that item before it came before council today and I really believe it will help us grow our public safety infrastructure and resources for our growing city. When I drafted that item, I really considered the similar programs that take place in other cities across the country, and I considered that it would definitely be a win for the community if developers chose to provide the community with a benefit to increase public safety throughout the city. So that was item 74. Item 76 approves the resolution authorizing the city manager to negotiate and enter into an agreement with a charity that will auction a collection. I have collected in my official

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have collected in my official capacity of police badges and challenge coins to raise funds to assist police officers and their families during times of financial hardship. I want to thank mayor Watson, councilmember Allison alter and councilman vela for your assistance with that. I also want to thank the hundreds of police chiefs from across the state of Texas who responded to my patch request and provided letters of support for the project. It's been a very long time coming and I want to thank a former staffer, Leland, who is no longer with my office, who worked with those police departments to bring awareness to this. And finally, mayor, I'd just like to say that this badge given to us for the purpose outlined in item 76 is from the Maynard police department. It was worn by a police officer. A worn badge like this one symbolizes the service and sacrifice of our law enforcement officers. It represents the commitment and dedication of those who risk their lives to protect and serve our communities and it becomes a tangible reminder of those risks carried out by law enforcement personnel. So I'm looking forward to seeing what the city

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forward to seeing what the city does with these badges and coins, and I want to thank everybody in the community for bringing this project forward. Thank you very much. Council I'll yield back. >> Mayor. Thank you, councilman Kelly. >> Councilmember harper-madison. >> Thank you. This was you might want to hear me, huh? >> This was the perfect opportunity for my computer to decide that it does not want to participate. I'd like very much to you the next council member, and then jump back in the queue, please. >> Are there other council members that wish to make comments on the consent agenda? We had not had anybody indicate prior to the meeting. So councilmember harper-madison, I'll give you a second. I appreciate that. >> Thank you. >> Okay, we're back in business. Thank you, mayor and colleagues, I'd like to briefly express my support and provide a spotlight for a few items on today's consent agenda, specifically for several that have a big impact.

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several that have a big impact. I see a lot of y'all in the room today on d1 residents, but also the city of Austin as a whole for d1 residents of the neighborhoods along dessau road. I know a lot of y'all are scratching your head, but yes, d1 extends all the way up to palmer lane, so dessau road for d1 residents and palmer will see an extension of Braker lane and residents along Howard lane will have an established speed limit along a stretch of their growing neighborhood. Yes, until now they did not have a speed limit. A funny story. When I lived in a sort of remote part of Montana. The speed limit sign posted just said prudence and judgment. And so now this part of this area will have a posted speed limit during the past year's budget, our office worked to facilitate the funding being approved today in item number 63, which would allow for expanded substance abuse treatment beds in partnership with Travis county. This is a prime example of where neither our housing bonds nor

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neither our housing bonds nor other traditional funding sources would have been accessible. But thanks to the advocacy of a local organization called a new entry, this nonprofit manages the facility and our county allies. We will nearly double the amount of beds for austinites looking to improve their lives, which I'm really proud that we're able to accomplish today. Citywide, I am thankful that we will be able to support our local school district with their teen parent child care programs when we invest in child care, we invest in the opportunity for folks to expand and strengthen their educational opportunities. We invest in our opportunity to expand and strengthen our workforce and the safety of our families and create opportunities for us. Tonight, seeking that continued so important higher education and lastly for the consent agenda. But not my last time. Speaking on this item, not today, and

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on this item, not today, and probably not for a long time, because we still need to vote on this. Put amendment formally during our zoning agenda. Is college park. I want to thank our partners at catellus yells team has worked for many years working on this particular project. You've already put in work and you're going to continue to put in the work on colony park, sustainable community, and we all know that there's going to be a lot more to come. Item number 13 reimburses catellus for the work already completed, and I look forward to your team. The d1 team and our community partners in making this plan development be what we hope will be an item that gets passed today during our zoning agenda. And with that, thank you, mayor. I appreciate the recognition. >> Thank you. Council member members that. Is there anyone else that wishes to be heard on any of the consent agenda items? All right. Very well. We will go

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All right. Very well. We will go now to item number 21. And that item was pulled by councilmember Allison alter. And I'll recognize councilmember Allison alter. >> Thank you, mayor. I believe I will need to go to executive session. So I don't know if you want to take up the other items first. >> Okay. That's what we'll do then. If there's a request for an executive session, we'll go to item number 19. Item number 19 was pulled from the consent agenda by the mayor pro tem. And I'll recognize the mayor pro tem. >> I did thank you for the recognition I pulled it as chair of the mobility committee, mostly because I know there's some conversation ongoing and my vice chair of mobility committee, councilmember qadri, who represents this area, wasn't able to participate and had to step out early from the work session. So I'm not sure if someone else wants to speak to the item. I know that councilmember Allison alter has passed out a motion sheet, but my poll was mostly that we should just have a chance to talk about it and see where consent is on this item and whether or not to postpone it

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whether or not to postpone it for two weeks. >> Councilmember qadri, I'll recognize you to see if you have anything you want to say about what would first, I would guess I recognize the manager, to see if he has anything he wants to say with regard to the item. >> Let me say on this item, there has been a lot of discussion and comments on it, not just this week, but since we've made the presentation to the mobility committee back in in September, our preference and our recommendation is that we close the tirz as as is posted today, and we are prepared to bring as council member alter just passed out a motion sheet. No she's going to make the motion, but we have already asked the staff to begin to prepare, the documents that would be necessary to amend the budget. We can bring back that on the 14th and. And it will be consistent with the projects that were approved as part of or came out of the, the public participation process that the council asked us to do a year and a half ago. And that way the council can have a robust debate in terms of what those projects

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in terms of what those projects are and which ones you'd want to move forward with and which ones you'd want to defer. The money is not going to be spent. It's going to stay in that area. And again, our recommendation was that we close it and let's have that item prepared for the 14th so we can have a full discussion on that. >> And members might just add, thank you for that, manager. I might just add that that when we use these tools like this tirz, there are requirements that we need to follow and people that pay attention to whether or not we follow those requirements when we when we utilize these tools and we're required to make appropriate findings and as we do that and Ed, the good news, I think, is that the success of this tirz and it's been a successful tirz there hasn't had to be an issuance of any bonds or anything like that even. But it changes what then the findings might be and how we would determine the status of it. And we don't want to do mean we want to follow the rules. We

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we want to follow the rules. We don't want to create risks of not following the rules. We all know that this area still has opportunity and still has needs. And I would break that up into two parts. One is, as the manager just indicated, there's money that's available that he's indicated will stay in that area. So we would be in a position as a group to make determinations like we do on other things about how that money gets spent. But in addition to that, we know that there are things that have come up with additional needs. The sehome intake, things like what the ymca is contemplating, what we have contemplated in terms of work with the Austin independent school district related to the a development around Austin high that might deal with affordable housing and might deal with parking, including parking that might work in conjunction to

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might work in conjunction to help with zilker park, things of that nature. So there's a whole lot of potential opportunity here that we ought to take into account as opposed to in my view, trying to patchwork an existing tirz that has succeeded and lived its life. And the money, the money that's there can be spent there and the additional things we need to do to go forward, we can approach greatly utilize the tools that will be available to us. So I would I would encourage us to do it that way where we cross ts dot l's and achieve our goals. Mayor pro tem, I appreciate that. >> And quite specifically for folks that maybe haven't been following it over the years is that we've been having these conversations. Back when the tirz was created, there was intent to create bike ped connectivity. Underneath the union pacific railroad and just because of some of the

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because of some of the intricacies of those conversations, that project didn't pan out. I co-sponsored a resolution with former council member tovo trying to make sure that we had a workaround for those specific bike and pedestrian needs. And so I think that's the that's at least my intent with the project is make sure that we fill the gap that has been left by those conversations not panning out. But obviously I know there's a whole bunch of need in the area and there may be other tools to be able to accomplish the same goals. I just worry that moving forward with closing it without council having a chance to designate exactly what we want to make sure are in the projects list with the remainder of the money. I just thought maybe two weeks would be a helpful well, we can do that. >> You're not preclude from doing that because we can close the tirz as the manager has indicated, that money will not be it will not disappear. That money will be available for that area. And that will give us the time to work on that aspect of it. And then going forward with other needs, we still have the

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other needs, we still have the opportunity to do that. But but it can be closed and in compliance with the way those two mayor pro tem, the dollars become general revenue. >> And we understand the intent of the council on this. We understand the intent that is to is to support projects that came out of that. The process that you asked us to do. Those have come out. We've talked about that the tirz is built out and it's time. I mean, think that we've reached a point where it might have that it needs to it needs to close it becomes general revenue. We'll bring back that amendment consistent with what you just said a minute ago. Consistent with what the motion when council member alter speaks to her motion so that we're consistent with what the policy direction is and then the council can begin to decide how those dollars that our general revenue can be spent on the projects that are appropriate for that area, consistent with the bike and pedestrian programs that you just talked about. >> Councilmember pool thanks, mayor, and thanks for the information from the city manager and your district Ann

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manager and your district Ann mayor and also go to the mayor pro tem. >> I'm wondering, city manager, what you would recommend. Is there anything you recommend that we say or do today that would kick start us reassessing the needs and potentially taking the steps necessary to craft a new, if I might, before he speaks, finish your thought. >> I apologize to craft a fresh tirz potentially so that we can look at this anew with fresh eyes and address the projects that are necessary going forward because it's a specific tool. Well, even beyond because this is a specific tool. We're not posted for that. Right. So what I would encourage us to do is take action if we're going to take action, and then you've heard him give his thoughts which think clearly he answered

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which think clearly he answered the question about what we will come forward, but we will then have time, in at least two steps, one is to vote on how the money that is still there gets spent and, and he's made that clear. And the second is for us to talk about what other possibilities and opportunities there are and ask at the appropriate time for there to be direction given with regard to that. >> And I'd be happy to work with my colleagues on crafting that additional action for a future agenda. Thank you. >> Thank you, mayor. Before any action is taken, we do have one. Speaker signed up on 19. William bunch okay, fair enough. >> We're not, I'm not acting yet, but appreciate you jumping in there. Councilmember Allison alter. >> Thank you. >> So I had worked with staff on a motion sheet that would have directed them to come back at the next meeting to create a do

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the next meeting to create a do a budget amendment that appropriates the remaining funds in the Seaholm tizr to transportation projects that provide an alternative to the bowie underpass project and wanted to ask for clarification from the city manager to as to whether your process is focusing that funding on the mobility projects or something broader. Because I think that the tizr has had money set aside for this process. The money was, you know, the intention of the tizr was to address these and think the money should first be spent on those. We don't at this point know if there's additional money beyond that. And and it's really important to me that we send a signal that we are going to address these mobility projects that mayor pro tem Ellis also raised earlier. >> I think in terms of your the motion that that you've handed out earlier today, what we would be bringing back to you is consistent with what this motion is. Okay. And so that's our intent. It is general revenue, but we've, we've heard the

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but we've, we've heard the council's preference, we've heard the commitment we've made to the community and we intend to, to live up to those obligations. >> Thank you. So given Ann other questions about posting, I will not make this direction under standing that that is the understanding of where we're moving, moving forward. But I do want to underscore the importance of us addressing these mobility issues. We have plans. We have options. We do need to narrow those down or perhaps do some additional funding raising. And so I just want to make sure that we keep our eye on those mobility needs. Thank you. >> Councilmember councilmember qadri will make this as quick as I can. >> I appreciate the conversation. City staff has initiated with me and my office and with all my colleagues. They've been informative and helped us understand the rationale for closing the tizr. However this is a significant action given the timing of it appearing on this post Thanksgiving agenda, I feel like it's appropriate to hit the pause button so that everyone, stakeholders and council members

[10:40:09 AM]

stakeholders and council members alike can get up to speed and get on the same page. So that's all I have to say on that. >> Thank you. All right. Councilmember Fuentes. >> Thank you. Thank you. Councilmember qadri. I do also want to echo my support for a postponement of this item. I think there's been a lot of great points made in this in this discussion thus far. So before we completely close this tizr, as a tool, I think having a few more weeks to better understand the tool as a as a whole, I think this is the first Burt tizr that we would be closing as a as a city and a number of years. So I want to better understand what that means. Any potential consequences from that, but also the opportunities for new tizr and what that might look like. Mayor, you highlighted a number of really great uses that we have for the area that I want to talk through a little bit more about. So I think postponing this item a couple more

weeks will give us that time needed to have further conversations. Thank you, councilmember. >> I'll. I don't see anybody else wishing to speak right now. So let's go to we have one

[10:41:10 AM]

So let's go to we have one speaker and then I'll accept a motion with regard to item number 19. >> Good morning, bill bunch with save our springs alliance. I just want to support the staff recommendation in closing this tizr promptly and returning the remaining \$12 million into the general fund. I think that's the right way to do it. As you know, these tizr have been abused by this city, by Chicago, by dozens of cities across the country, including Houston. We have a lawsuit pending against the south central waterfront, tizr against this organization. This is not a blighted area. This is parkland. And part of it, what you should know with tizr legislation is you're dodging

[10:42:12 AM]

legislation is you're dodging voter accountable city on debt financing and you're also potentially trumping the city charter that protects our public parkland. You should not be doing that. It's absurd to say this area is blighted. It wasn't blighted when this tizr was created. It shouldn't have been created. It needs to be shut down. So thank you, city manager Garza for recommending that it be shut down. >> Thank you. There are no other speakers, is that correct? All right. The chair will entertain a motion with regard to item number 19. Councilmember pool. >> I'll make a motion to adopt the staff recommendation, which is to end the tizr. >> Motion is made by councilmember pool to adopt an item 19. It's seconded by councilmember Kelly. All those in favor say aye or show by saying aye. All those opposed Ed . All right. I'm gonna have to

[10:43:17 AM]

. All right. I'm gonna have to ask again. Just so make one, two, three, four. Councilmember qadri five. Okay. I apologize. You actually had technology problems. Councilmember harper-madison. Ann just didn't count. Well all those in favor of the motion to adopt item number 19, which would be to end the tizr. Please raise your hand . All those opposed. Raise your hand. All right. There being six opposed and four four in favor. Those four being councilman Kelly, councilmember pool, councilmember Allison alter and the mayor. And with one absence, the motion Ann fails. So with that, we will see this on the 14th. Mayor pro tem. That's what you were asking, right? Yes

[10:44:20 AM]

you were asking, right? Yes >> I was just going to clarify with the motion that was made, there's no chance for alternate motion to postpone. >> We can do that. But it just died. So we can do it either as a postponement or it can be brought back by the manager's office as the reason it would come back on the 14th is because if we don't do it if we don't terminate the tirz on the 14th, it will start collecting money in the next tax year. And if this needs to be closed, that would be even a bigger reason for it to be closed. So I don't think there's a need for a motion to postpone. All right. >> Landslide Garza. >> Yeah, that's right. Thank you. Council all right. We will go to the non consent items related to eminent domain. I'm sorry. Without objection, we will recess the meeting of the Austin city council at. And it is 1045. And I will call to order the meeting of the board of directors of the Austin

[10:45:23 AM]

of directors of the Austin housing finance corporation. It is 1045 on November 30th, 2023, we are meeting as a board of directors in the Austin city council chambers at Austin city hall, which is located at 301 west second street. We have a quorum of the board of directors with one absence, and that's board member Ryan alter and I'll recognize staff. >> Good morning, Mr. President. Madam vice president, board of directors. >> My name is Jamie may. I'm the housing and community development officer with the housing department. I'm here today to walk you through your Austin housing finance corporation board of directors agenda for this morning. You there are several items on this agenda, as you'll note, but we'll walk through each relatively quickly. First is the approval of the minutes from October 5th, the second is the authorizing motion of an agreement with industry. They were the selected applicant in a

[10:46:24 AM]

were the selected applicant in a solicitation to identify a development partner for 5901 drowsy willow trail that is expected to yield approximately 30 to 50 units. This will be in district two. Director Fuentes, the third item is to ratify the first amendment to the contract with family elder care for pecan gardens. This is the hotel formerly known as candlewood suites, located at 10811 pecan park boulevard. This will be an amendment to add additional funding for the rehabilitation of that property and to extend the contract beyond the expiration date. We do expect that property to be occupied within the first quarter, possibly the second quarter of calendar 2024. But the spring is our target. That will yield approximately 78 permanent supportive housing units, three is to authorize the negotiation of an amendment to our control acts with integral care for Texas bungalows. This is another

[10:47:24 AM]

Texas bungalows. This is another hotel conversion project. This is to also extend the time for that contract and to add approximately \$400,000 to complete the rehabilitation. This property is also expected to be completed within the first quarter, or at least spring of 2024, and it will yield approximately 60 permanent supportive housing units, both of these properties do have vouchers attached, so an operating subsidy has been identified. Next we have our what is known as ad cap or anti-displacement community acquisition program. This is a program that is funded with project connect funds, and we would like to make an award for the Austin revitalization authority to purchase three and two Carmen court. This is a four plex located in district four council member Vella, the this four plex will be preserved as long term affordability and it does help to build capacity for Austin revitalization authority. Next, we have what is known as our rental housing development

[10:48:25 AM]

our rental housing development assistance programs and ownership, housing development assistance programs. The first in this project is a development with capital housing to develop approximately 30 ownership units located at 5107 and 5109 Lancaster boulevard. The also in district four is to approve of a project by Austin revitalization authority for approximately four units of ownership housing at 7210. Carter avenue. Also these will be affordable below 80% of the median family income for households in the Austin area. Next we have a loan to sgi ventures for Katy lofts. This is a property located at 1004 east 39th street and will develop 100 permanent supportive housing units also that is in district nine. Councilmember qadri. Next, we have a an award for general. I'm sorry for Guadalupe

[10:49:26 AM]

I'm sorry for Guadalupe neighborhood development corporation Ann to purchase seven acres of land in the Guadalupe Saldana net zero neighborhood. This will yield approximately 51 ownership housing units affordable below 80. Mfi on that is in district three. Next we have an award for the safe alliance. To construct a 60 unit permanent supportive housing development located at 5111 Lancaster court. This is in partnership with capital a for the development of that property . And then finally to authorize the negotiation and execution of a deal with summertree development for 35 ownership units located at 7308 south congress avenue in district two. In total, this will generate approximately 300 permanent supportive housing units and represents an investment for over 120 ownership housing units throughout the city. I offer all of these items on consent.

[10:50:27 AM]

of these items on consent. Members, do you have any questions of staff? >> All right. With regard to items ten and 11, we heard a question about the posting of that and the ability to speak out on those

items. Items ten and 11 were properly posted and they were open on the website. So the opportunity to sign up and speak for those items was allowed. Mayor members, this is being offered to you as a consent agenda. Is there anyone wishing to pull one of the items from the consent agenda? Is there anyone wishing to be shown as. I'm sorry, I'm sorry. >> Mandy Demayo, Austin housing finance corporation. I also do want to mention that you have two items on the agenda item 11 and 12 that are related to the service agreement as well as the capital budget. There were some council q&a questions regarding these items that we addressed

[10:51:29 AM]

these items that we addressed via the q&a process. And in addition, this relates to items that were previously approved on the consent agenda for the city. >> All right. >> Does that create any questions by members of the board? Thank you very much. Is there anyone wishing to be shown abstaining from any of the consent agenda items for the board of directors of hfc? Anyone wishing to be shown recusing themselves from a vote, anyone wishing to be shown voting no mayor would like to be shown voting yes on items one and two and no on three through 12. >> Thank you. >> Councilmember Kelly will be shown voting no on items. Three through 12 members. I'll entertain a motion to adopt the consent agenda. The motion is made by councilmember villa, seconded by councilmember Fuentes is there any objection to the is any discussion on that item on consent agenda?

[10:52:29 AM]

item on consent agenda? Councilmember Fuentes. >> Yes, thank you. Board members . I'm really excited as part of this consent agenda, we are moving forward with with a partner on bringing the largest community land trust to district two. This is affordable homes for our families. And I'm thrilled to see this progress, to see this project move forward. I think it's a great example of a wonderful use from our 2018 bond dollars and I know it is very appreciative in my community and I'm just very pleased to be able to have the largest community land trust in the heart of district two. >> Great. Thank you. Councilmember. Councilmember Bella. >> And I just wanted to also highlight that there are a number of affordable housing projects that are going to be moving forward in district four, both in the saint Johns highland area and in the Windsor park area, in particular, the safe alliance project, which will be providing housing for people who are survivors of domestic violence. It's just very seeing that project kind of move forward over my time on council and very happy to see final action on it and can't wait to

[10:53:31 AM]

action on it and can't wait to see a groundbreaking thank you board member. >> Any other discussion? Is there any objection to the motion to adopt? Need a got a motion to adopt? Yes. Is there any objection

to the motion to adopt with that objection? The consent agenda is adopted. Thank you very much, sir. Thank. Without objection, we will adjourn the meeting of the Austin housing finance corporation. Ann. It is 10:53 A.M. And I'll reconvene in the meeting of the regular meeting of the Austin city council at 1054 on November 30th. The next items on our agenda. It will be items 80, 81 and 82. We don't have any speakers signed up on items 80, 81 and 82. Is that correct? >> That is correct. >> Members. I would the chair would accept a motion with respect to items 80, 81 and 82. Those being non-consent,

[10:54:33 AM]

Those being non-consent, condemnation items. 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 properties, set forth and described in the agenda for the current meeting for the public uses that are described therein. Is there a motion the mayor pro tem moves approval of items 80, 81 and 82. It's seconded by council member qadri is there any discussion? Without objection items 80, 81 and 82 are approved subject and with regard to the specific motion that was made. Members, we will now go to item. Number 85. Item number 85 is a public hearing. Without objection, I will open the public hearing on item number 85 and ask, is there anyone signed up to speak on item number 85?

[10:55:34 AM]

item number 85? >> Yes, there is, mayor. We'll go to remote. Speaker first, Bob Levinsky speaking on item 85. Thank you, mayor and council members, this is Bobby Levinsky with the save our springs alliance. >> I submitted these comments to in writing just to your emails. When the city council is asked to vote upon a bridge replacement project for public safety reasons, I understand that it's difficult to not heed that advice. But what has been raised here is a problem that needs to be addressed and the good news is that there's time to address them without urgent timelines. It would make sense in this case to send this item through the boards and commissions process to discuss S the initial design phase is oftentimes postponements are used for avoidance. I don't think this is the situation. What we have here are pending questions that still need to be resolved, including how the

[10:56:34 AM]

resolved, including how the bridge would interact with the internal circulator train, what type of environmental restoration could be done to support Barton creek in that area, as well as pending concerns from the state historical commission on the design approval. There's also been evidence that shows that we could support the bridge, the current bridge, without these impacts, without these environmental impacts, it's by making additional improvements to support the structure as well as potential options to reconfigure the road that would including what was envisioned in the zilker plan.

That could maybe be a road diet and free up space for that road. All of these decisions could be helped, could benefit from additional dialog ahead of time. So we're encouraging you to please postpone this item, send it to the environmental commission,

[10:57:35 AM]

the environmental commission, the parks board and the historical commission to help inform the project scope for the initial design phase. Thank you. >> That concludes the remote speakers. We'll move to in-person now on item 85. William bunch, followed by Roy Whaley on deck. Morning mayor Watson council members. >> Thank you for your service to the community. Bill bunch save our springs alliance executive director. You should each have the copy of the letter, the one pager that hits the high points on this item from me that was distributed earlier this morning and emailed to you much earlier this morning. And then a letter from structural engineer Tom Kamm, who has about almost 40 years of experience. He's a master's in science and structural engineer. He's

[10:58:38 AM]

structural engineer. He's literally built bridges for the city of Austin. And I just would read one the last line on the first page of his letter reads, repairing and maintaining the existing structure to extend its life many more decades will be far less than just the cost of removing the bridge, not it not counting, even building a whole new bridge. So the whole basis of the recommendation here is, is fundamentally false. The backup memo that you have and you just have a two page memo, it doesn't even mention to you or the public Mok that this is a history brick bridge, a design dated contributing feature to the zilker park national register historic district, and here staff is asking you to vote to destroy it and replace it with a big ugly new highway

[10:59:40 AM]

with a big ugly new highway bridge. That's totally inappropriate. That will cost a whole lot more. That will destroy the habitat along the creek right there and disrupt traffic flow during construction. That would be substantial. All as Mr. Levinski just said, this did not go to the parks board. It did not go to the historic landmark commission. It did not go to the environmental commission. So my question is, why is this even on this agenda? This is totally inappropriate. Please save this historic treasure for our community. >> Thank you, Mr. Bunch, Roy Whaley on item 85. >> Howdy, y'all. Roy Whaley, conservation chair for the Austin regional group of the Sierra club. And we agree with Mr. Levinsky and Mr. Bunch. This is a designated historic bridge and it should be treated as

[11:00:42 AM]

and it should be treated as other historic places in Austin and respected and does have an alternative to this. We also look at at well I went to some of the open houses on this and almost universally it was opposed people are not in favor of this. And the disruption on traffic is going to be enormous. I'm concerned about the disruption to the environment. Also there are there are other ways to handle this. When we've swedge down Barton creek road. To one lane in each direction. Why do we now need an enormous funnel to put everyone in through the park? And that's what this plan is. It is it is a huge piece of infrastructure.

[11:01:44 AM]

huge piece of infrastructure. It's not like the existing bridge. I wish there was a safer way to get across the creek on my bicycle. Of course, I wish there was a safer way for me to just ride my bicycle today. But Sierra club opposes this. We wish that you would take it off the agenda. Have the open house or not. The open houses. But the commission process so that the public can weigh in and the commissioners that you appointed can also review this and weigh in. And thank you very much. >> Thank you. Mr. Whalen. >> That concludes the speakers on item 85. Thank you, members. >> That concludes the speakers on item number 85. Without objection, we will close the public hearing on item number 85. Recognize councilmember Kelly. >> Thank you, mayor. I actually had a couple of questions for

[11:02:45 AM]

had a couple of questions for staff about this item, if they're available. >> Yes, we're available. >> Good morning, mayor and council members. I'm Eric Bailey, acting deputy director of capital delivery services. Happy to answer questions and respond to some of the public comment that we have. >> Thank you. Appreciate that. So I just wanted to confirm because it is my understanding that this bridge is with the zilker national register of historic places district. That's correct. >> Right. It's a contributing structure. And actually today we have our engineer, aecom, who is a world renowned engineering firm that does this kind of work all over the world. And they can speak more in depth to the questions about replacing a contributing structure such as this. Okay. >> I guess if you could just elaborate a little bit about how federal law applies to the situation. Ann because it is a contributing factor. The bridge. >> Yeah. I'm going to bring Mr. Ashburn up here to comment. Thank you. >> Good morning. Council excuse

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>> Good morning. Council excuse me. My name is Darrell Jones. I'm the project manager for aecom. Up here with me is Bob Anderson. He's our senior structural engineer for the project as well. So I know we had some of the questions that came through yesterday evening and we talked to our cultural resources folks permitting folks that had a lot of experience with federal state agencies have helped us in discussions and vetting the project with the Texas historic commission. So if you don't mind, I'm just going to kind of read off the question and their responses. >> That would be very helpful. >> Okay, mayor, I promise. >> It's brief. It's only about three questions. I just think it's important for the public to understand why this is necessary. >> There's some regulatory speak. So I just wanted to make sure I read it the right way. So the first question was, is the bridge proposed to be replaced? A designated contributing feature of the zilker park national register historic districts? The answer was yes. The bridge is are contributing resource to the district. So

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resource to the district. So that's that's a yes the numbers the two second question was if is the bridge protected under federal state law? The short answer is yes, it is for federal law. Since the district the national register of historic places is part of the national park service system. Federal law , or section 106 in particular. Oh, sorry. Got it. Applies to the resource within the district and under the Texas antiquities code. Section 26 Swint, the zilker district is in and the bridge is a contributing resource. You would have to follow the Texas administrative code any coordination with the state will also follow the federal section 106 process. So that's that's kind of the long. And then the third question was, is the bridge able to be destroyed without a showing of necessity? And what is the necessity to destroy the bridge? And the answer to that was a

[11:05:53 AM]

And the answer to that was a little bit more involved. But the short answer is yes. The bridge is able to be destroyed without a showing of necessity. However, since it is a resource within the district, then due diligence under section 106. Again the federal portion of this would require mitigation and document of mitigation that you would typically do when you are removing a historic resource. >> Let me let me do the necessity to the demolish the bridge is obviously a safety issue. >> The state and federal agencies take the bridge safety very seriously. And if the bridge is exceeded its life and or the materials with which the bridge is constructed are deteriorated and cannot be repaired, then you can demonstrate the necessity of the demolition of the bridge. >> Thank you very much. >> Appreciate you outlining that to my colleagues and to the public. I just have one other question for the city manager. Unless there's one other thing you wanted to add, just just and this is not there. >> This is just my addition. Is she if she has a question, you

[11:06:55 AM]

she if she has a question, you can do that. >> But otherwise you're just testifying. So I would appreciate. Do you have another question? >> I have a question for the city manager. >> Thank you very much for your time. >> Yes, sir. >> And the question is, will we as council members and the public be briefed on what those mitigation efforts are throughout the process? >> I think what what's what's missing here is we should have done a better predicate of what? Of what? Why this item is a hearing and why it's before you. This is a result of a of a resolution that the council asked us to come back in terms of its design. And I think we don't have the context. I mean, I think what we're doing is, is we've almost started in the middle of a discussion without the proper introduction of what this is why it's here, why we've come back here. It is a safety issue and we've done the due diligence to ensure that the bridge can be removed so we can put a proper safe structure so people can move back across that creek with a proper mitigation. As you mentioned a minute ago.

[11:07:55 AM]

As you mentioned a minute ago. But if the council would like, we need to really start you at the beginning of this rather than just at a, you know, rather than where we're at right now. >> I would prefer if there was a little bit more community input and if there was a little bit more education in the community throughout this process. And I'll just leave it at that. Thank you so council, unless there's objection, what I'm based upon, what the city manager just said and the answers that I just heard read what I would accept as a motion, one would be to postpone this item to the 14th, which with a brief work session. Presentation on the 12th, I guess it would be . >> And that would also leave it open to allowing for a motion on the 14th. The posting be such that the motion on the 14th would even allow for a reference to boards and commissions and community impact input. If that's the will of the council.

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that's the will of the council. >> I think that sounds great. Mayor. >> It sounds like you just made a motion. Council member Kelly just moved adoption of that seconded by the mayor pro tem and I'll recognize the mayor pro tem for comment. >> I do. I can appreciate where folks are coming from on this. I just every every time this comes up, I tell the same story, which was me attending a pre-bid meeting in 2015 to talk about this bridge and the redbud bridge. I know there's going to be lots of thoughts and concerns and opinions about how how a bridge is replaced, what it looks like, and exactly what the needs are to meet the public, where it needs to be. But in the meantime, if people would go and go across that bridge and try to cross it on a bike, try to cross it on foot, look at where the bus lanes are. It's 100 years old. And I love it, too, and it's very beautiful. But at the end of the day, a hundred year old bridge, I'm shocked. It's even in the good condition that it is right now. Recently, city staff issued a memo asking that larger vehicles not use both

[11:09:58 AM]

larger vehicles not use both lanes heading east, that they would be affecting the bridge. So I just want to make sure we're keeping in mind the health and safety requirements and the mobility functions that are needed of this bridge. It's honestly much more beautiful from underneath the bridge than on top of it. It's not really functioning with how many people want to visit zilker park and so I'm happy to second the motion to have a couple more weeks to look at this. But this has come to mobility committee and it has been a conversation that's been on council and staff's radar for ten years or longer. I would say . So I just want to make sure when we revisit this that we're not continuing to deliberate and debate the exact same issues that have been on the table for a decade or longer. >> Thank you. Mayor pro tem, any further discussion on this item without objection, the item number 85 five is postponed to the 14th with a potential work session on the 12th and the potential the posting being such

[11:11:01 AM]

potential the posting being such that it would allow for action beyond just. The destruction of the bridge and allow for public comment. Without objection. The motion is adopted members that will take us to item number 86. Without objection, we'll open the public hearing on item number 86. Is there anyone signed up to speak? >> Yes, there is, mayor. We have in person on item 86, William bunch, followed by Roy Whaley. >> Come on down. I'm. Public hearing to consider an ordinance relating to the reclaimed water connection requirements. Under the circumstances. Mr. Bunch. Mr. Whaley's outrunning you.

[11:12:01 AM]

you. >> Thank you, mayor. Council members. I spoke to this. When y'all set this meeting, I'll keep it short. We're in a big trouble on water. The business community's had several years of notice that this rule was in place. It's,. It costs a little bit more up front. Rent to hook up and do these things, but it saves enormous amounts of water and money over time. It shouldn't be postponed. It shouldn't be weakened. These are big projects coming through with enormous budgets and we're basically talking about a rounding error to save water forever, convert ously if you don't do it up front, you've lost opportunity basically forever. So let's keep the reclaimed water requirement on the large projects in place. Thank you. >> Roy Whaley.

[11:13:05 AM]

>> Roy Whaley. >> Roy Whaley conservation chair, Austin regional Sierra club. I'd like to point out that bill bunch and I frequently speak on the same issues and frequently have the same opinions and

viewpoints. That doesn't make us twins. We disagree on a lot of things too. Okay, just to point that out, I, I want to tie this to also to item 114 that's on the agenda later. And, and was in a meeting earlier this week and I talked about how it should be required that we use the reclaimed water because the impact it has on residential users. Also, it apparently did not get through to the people I was talking with. It was scoffed at. There are two separate things. It's one reason course, though. It's just one resource and that's

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just one resource and that's water. And we have a dwindling supply. We have an uncertain supply of water. And when you are down as low as we are right now, if you're in your own savings account, you don't say, I'm going to go spend my money and hope it works out. No we need to have the reclaimed water use used to extend and save our existing water supply. Our potable water supply for the residential users, as well as commercial users as we have a limited resource source here, we need to treat it that way and try to live with out water. It's going to get worse before Shaw it gets better. Plus please, we need to have the reclaimed water pass through on this. And also the Hyatt issue, the pud that's been pointed out, they've

[11:15:09 AM]

been pointed out, they've reduced their parking. It's because they don't need it. Okay that's socks for Christmas. Thanks >> Does that concludes the speakers on item 86 members. >> That concludes all the speakers on item number 86. Without objection, we will close the public hearing on item number 86 members. As you all know, this is a request that that we just extend the variance . But it's so that when we bring this back, it will be a fully robust approach so that we can we can do the sort of reclamation in a way that is being requested by the public. I'll entertain a motion with regard to item number 86. Is there a motion? Council member pool moves adoption of item number 86 second by council member Vella. Is there a discussion? Any objection? Without objection, item number 86 is adopted with council member Ryan alter. Absent that

[11:16:10 AM]

member Ryan alter. Absent that will take us to item number 87. I'll without objection, we will open the public hearing on item number 87. Is there anyone signed to signed up to speak on item number 87? >> Yes, mayor. There's one speaker in person. Mr. Roy Whaley. >> Appreciate that. Thank you. And get well soon. Is there anyone else signed up to speak on number 80? Item number 87? >> No. >> Mayor there being no one else signed up to speak on item number 87. Without objection, we will close the public hearing on item number 87. I'll entertain a motion. Council member Vella moves approval of item 87. Is

there a second? It is seconded by council member pool is there a discussion? No discussion. Ann. Yes. Councilmember Allison alter I'm voting no. >> This is an absolute. We have to do this. But this is just part of an absolute overreach by our state government to regulate

[11:17:11 AM]

our state government to regulate how we can provide access to our parks in our community. And I can't countenance it with a yes vote. I understand that we have to pass this. But as someone who has been working hard over many, many years to improve access and believes strongly in the importance of developers providing parkland, I think this is really important. >> Thank you. >> Thank you. Councilmember without objection, item number 87 is adopted with councilmember Allison alter being shown voting no and councilmember Ryan alter being absent. That will take us back up to item number 84 Shaw. Without objection, we will open the public hearing on item number 84, and I'll ask the city clerk to help us navigate the speakers on item number 84. >> Thank you, mayor. We will proceed with remote speakers first. Rhonda Levine. Speaker, please unmute Rhonda

[11:18:14 AM]

Speaker, please unmute Rhonda Levine or Levin. I'll move on to the next speaker, Heather van house. >> Hi, this is Heather van house. >> Can you hear me? >> Yes, hi. >> Thank you. I'm here today to discuss item 84, specifically the urban trail plan. We request an amendment to the urban trail plan that removes the slaughter creek segments 27, 28, and 29 from that plan and direct staff to come up with alternate routes through public lands such as Mary Moore park and neighborhood bike lanes, which we are working to build and that exist and sidewalks for those areas. It's important to note that removing the segment of the trail will not prevent the urban trail system for coming at Mary Moore or in other public properties. Therefore, we're not trying to

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Therefore, we're not trying to stop the trail, but rather not wanting a public trail on our private property, our neighborhood, Texas oaks south as well as the surrounding neighborhoods of the north of slaughter creek, San Leanna, shady hollow and others were absolutely shocked to see trails located on private lands without the acknowledged or the consent of the landowner. We're yet to find one landowner who was contacted by the city of Austin about the urban trail plan through their private land. The city of Austin has a strong outreach process for parks and other redevelopments. This process should absolutely extend directly to the private landowners whose properties have routed trails shown in the urban trail plan. The fact that no one reached out to us and we've had to frantically react at the last

minute has created a strong feeling of frustration with the city as well as a large sense of mistrust. My background is in landscape architecture and urban

[11:20:16 AM]

landscape architecture and urban planning. I understand how much money and effort goes into making these plans, yet I struggle to understand why the city created the plan that without a doubt would receive significant pushback due to routing through private lands and would not have a significant impact on reducing traffic in Austin or making commuting easier for Austin. Has real traffic issues. We deal with them every day. >> Thank you. >> Thank you. Speaker. Your time is up to address it. >> Thank you. And we have a number of speakers that have signed up to speak on this item and wanted to wait to hear at least one of the speakers bring up what this speaker just brought up. For those that have signed up to speak, let me just say that council member Ryan alter, who I've already indicated is absent because of the birth of a new child, has asked and the mayor pro tem has agreed to carry two amendments that address issues that we just heard about. One amendment is to, in fact remove the slaughter

[11:21:16 AM]

to, in fact remove the slaughter creek segments, 27, 28 and 29 of that plan as was requested. And the other one is to restore for the tier one prioritization on the trail has had since the 2014 urban trails plan and can go into more detail. But my point being that if that's why you are here to speak is because you were looking to make those changes. I anticipate that those changes are going to be made and you might just let us know that you're for that or against that and help us through that process. So thank you with that, I'll turn it back to the city clerk's office. >> Thank you. Mayor Rhonda Levin is back on the line. Rhonda Levin. Please unmute Rhonda Levin. Please go forward. We'll move on. Michelle Adams is.

[11:22:22 AM]

move on. Michelle Adams is. Hello I'm Michelle Adams, president of the Texas oaks neighborhood association. >> Today I speak on behalf of our association, our neighbors in Knowles at slaughter creek, residents of San and property owners near slaughter creek and shady hollow. We're here to express our concerns about the urban trail plan of course, the segments 27 through 29. I do want to thank council member Ryan alter for his responsiveness and the proposed amendment to exclude these segments from the plan. Our gratitude also extends to the mayor and mayor pro tem Ellis for their support of this amendment as well. Our concerns involve proposing trails utilizing private property as an experienced, real estate broker in the city of Austin, with nearly 18 years in the field. I recognize the value that public

trails bring to a community. However, I must express a concern over the utilization of private land through public easements or eminent domain. I

[11:23:23 AM]

easements or eminent domain. I want to draw attention to the significant concern regarding the process and the city's failure to adequately communicate about this plan with private property owners that it affects. We were only made aware of this significant concern Ann last week, the amendment was proposed this week. This lack of information extended to over 80 affected property owners, notably including state representative Vicki Goodwin of shady hollow and unexpectedly mayor Molly quirk of Selena and a property owner in Santa Ana, whose ten acres would theoretically have a public easement running through the center of her land, rendering it considerably devalued. These oversights in communication Ann reinforces our position against the use of private property for the urban trail in any section and highlights the necessity for more robust public engagement in future city planning initiatives . I really appreciate the amendment proposed and we look forward to working with the city council in the future. To

[11:24:24 AM]

council in the future. To >> Next speaker is Shannon Joyce . >> Hi. >> Hello, mayor and city council. My name is Shannon Joyce and I'm a resident of lives along slaughter creek in south Texas oaks. I support the amendment that is mentioned by mayor Watson regarding the urban trail expansion to remove those segments that are along Sutter creek segments 27, 28 and 29. As stated by my neighbors, there would be an impact of private property, also wildlife and possible safety concerns. And quite honestly, walking along the creek, I'm not sure how it would be feasible possibly feasible to actually build the trail along those routes. As a quick snapshot of our neighborhood, we as many neighborhoods in Austin, we have deer that wander freely throughout our backyard and this would have an impact among those animals and their roots. I really appreciate the efforts of the city council working with

[11:25:24 AM]

the city council working with our city council member who's out on paternity leave and the mayor to reroute this. So in conclusion, thank you for your time and attention to this important matter of south Austin residents. And I support the rerouting of slaughter creek segments. Number 27, 28 and 29 through an alternative route, maybe through Mary mercy, Wright park or other public lands. Thank you so much. We firmly oppose the trail being routed through private land. >> Next speaker is bill Meacham. Hi this is bill Meacham, mayor and council members. >> Thank you. Bill Meacham from Texas oaks south. I just want to thank you in advance for your commitment to removing segments 27, 28 and 29

from the urban trail for the reasons that the other people have already expressed. Thank you. That's all. Thank you. >> That concludes the remote speakers we'll now move to in person. I'll be calling them in

[11:26:27 AM]

person. I'll be calling them in batches of three, please. When you hear your name, make your way to the podium and state your name. Mok Jenna hadar paxton. Eve gaddini. Andrew gaddini. Hi. Thank you for having me. >> My name is Mckenna hadar paxton. >> I support the bulk of the urban trails plan, but am also in support of Ryan alter's proposed amendment to eliminate segments 27 through 29. And I'm very, very grateful to him for his proposal. My property is directly impacted by segments 27 and 28. These segments run across the entire length of our property. It's my understanding that this plan has been in the works for quite some time. Segments 27 through 29 utilize at least seven private properties in the village of San Leanna. Private properties in the knolls of slaughter creek neighborhood and private properties in the etj. These segments also impact and would potentially utilize the private property of over 40 homeowners and Texas oaks neighborhood. Despite this proposal being in the works for a long time, none of these property owners were

[11:27:28 AM]

of these property owners were made aware of this plan until last Tuesday, and we were only made aware of it by a neighbor. The lack of communication about a proposal that could lead to possible eminent domain on many property owners across several jurisdictions is very distressing. I don't have time to address all of the problems created by trail segments 27 through 29. So I'll just quickly touch on two of them. First is the potential for eminent domain . While the plan doesn't explicitly reference and reference eminent domain, I have been advised that eminent domain for this trail, both inside and outside of the city of Austin's jurisdictions, is not impossible . While pursuing eminent domain would lead to an expensive legal battle between private property owners in the city, and it would generate a negative public sentiment and would not be in the best interest of the city of Austin. And the trails program. Second, there are viable alternative trail routes that could be placed on public lands through Mary Moore Wright public park and in the public right of way. These alternatives are already suggested in the urban trails plan. The appropriation of private land is unnecessary, and it's a government overreach. I urge all council members to vote for district five. Council member Ryan alter's amendment to remove trail segments 27 through 29. Thank you.

[11:28:29 AM]

29. Thank you. >> Thank you. >> Greetings. My name is Andrew gardini. I mirrored the sentiments spoken by many of the other property owners who have gone before, and I want to thank

councilmember council member alter and the mayor's proposal. I'll keep this short as to not repeat, but I encourage you all to support the proposed amendment and not build public trails on private land. Thank you. >> Thank you. Thank you. >> My name is eve gardini. We advocate for rerouting of slaughter creek segments. 27, 28, and 29. And we thank councilman and the mayor for supporting that amendment. I am a property owner and I do have young children on my property. So our biggest concern is that we want to iterate is safety for the public and for our families. The proposed trail could

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The proposed trail could potentially pose safety risks and become a public nuisance. It might provide easier access for unauthorized individuals to trespass into our yards. And of course there are many children accessing the creek, enjoying their day to day, enjoying, you know, life and the animals there. And we want to make sure that our children are safe. So thank you again, councilman and mayor, thank you, mayor. >> We do have a remote speaker that I'll call at this time, Lacey Hoff. >> Hi. >> My name is Lacey Hoff. And hello. >> Yes, we can hear you. >> Okay. I also I also again, support, like all of my neighbors and everything and would like to just reiterate the need for safety and the fact that as others have mentioned, the park has many beautiful trails. And if they could

[11:30:30 AM]

trails. And if they could continue to access those beautiful trails and keep the wildlife serene, just like that is something that we are very wanting to keep in tact. So thank you so much, for proposing that. Moving back to in-person Ann, we have Michelle Adams, Katy Larson, William bunch, please make your way to the podium and state your name. >> Please come forward if your name has been called mister bunch, are you waving your testimony? Yes. Okay. Thank you. >> Moving on, Lorraine Atherton, Daniel Cappleman, Karen Hayden and Tom Smitty Smith. Please make your way to the front and state your name. >> Good morning, mayor. And

[11:31:30 AM]

>> Good morning, mayor. And council. My name is Daniel Cappleman, the projects and policy manager at the shoal creek conservancy. I'm here to support item 84, the Austin the walk bike roll in its entirety on behalf of the shoal creek conservancy, the urban trails plan specifically will allow more austinites to travel around the city on safe, comfortable and grade separated trails. This will contribute to the city's mode shift goals and allow more residents to access Austin's famous green spaces. The three plans will work together to improve our multi-modal transportation infrastructure and show a real commitment from the city council and city staff to those walking, biking and using other modes to get around the city. The shoal creek trail is one of the real treasures of Austin and has allowed people of all ages and abilities

to access one of our most important natural assets, creekside trails in general are valuable transportation facilities and enjoyable recreation spaces, and we appreciate the work of city staff to create new opportunities for people in all parts of town to experience them. Thank you for working extensively with the community

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extensively with the community and stakeholders, including shoal creek conservancy and Austin. Outside as the plans were developed. We also look forward to the continued engagement. We expect from city staff as the details and alignments of these trails are finalized and construct. Ed. Thank you so much. >> Thank you. Mayor and council. >> My name is Tom Smith and or Smitty. I own property on both sides of slaughter creek along with my family and in general we're very supportive of this trails plan. We think it's a really good idea to be able to knit the community together and tree shaded pathways and bicycle ways. But this particular segment is unnecessary. And I'm here today to propose. You can save probably about \$10 million by eliminating sections 27, 28 and 29 and just use the pathways you have already purchased and bought through the Mary Morrissey Wright park. I'm a daily walker and you can walk from manchac all the way from

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from manchac all the way from first street all the way over to manchac on pre existing trails. Many of which you have already funded. The people who suggested that we use the trails through the Noles of slaughter creek, for example, said in their thing we ran out of time to look at what was in the park. If they had merely asked people who were on the trails on a daily basis are there other trails in the park? They would have had to resounding yes. And if they had googled it, they could have figured this out. This is unnecessary. And as the as a public policy chairman of the Noles of slaughter creek board, we would all ask you to take to support the mayor or mayor pro tem's amendment to remove these segments from this plan. And we have asked our members not to show up here today. Mayor so you didn't have to listen to the same thing time after time. Thank you all very much. And we hope you support the amendment to remove these segments. Thank you. >> Thank you, miss Adam. >> Good morning, mayor and

[11:34:35 AM]

>> Good morning, mayor and council. I appreciate the fact that you have expressed willingness to remove segments 27 through 29 in the trails plan. And by the way, I'm Karen Hadden, representing myself today. We do think that there are better existing paths in Mary. More Wright the report itself actually said due to time constraints, the project team did not explore the existing park trails in Mary

Moore Wright metro park, just north of slaughter creek. They also acknowledged that they came and walked on the trails which they, in my opinion, mischaracterized slightly and they did so without ever contacted ING the hoa. That's trespass and you know, the neighborhood is fairly tolerant in many cases of people coming through but you know for this purpose and without contacting anyone that was really out of line, the fact that the neighborhoods were not

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that the neighborhoods were not contacted is just really pretty appalling. We support trails in general and always have. I support being able to bicycle throughout town and want you guys to move forward and helping make that safe for everyone involved. However, I do think that we need to be careful in placement of trails because the emphasis in the urban trails plan appears to be 12 foot wide cement trails. They say, oh yes, we would also in some cases use non impervious trails. Well that should be flipped around. We should be looking at non impervious covers and protecting the land as we move forward. And also wildlife. If some areas were characterized as sensitive, I would put ours in that category. But they fail to note that this is steep cliffs along a creek bank and it's wildlife habitat. I cannot imagine taking bulldozers through. Thank you

[11:36:38 AM]

bulldozers through. Thank you for your help and your work. >> Thank you. >> That concludes all the speakers for item 84. >> Members, that concludes all the speakers for item number 84. Without objection, we will close the public hearing on item number 84. Members what I'd like to do is entertain a motion on with regard to item number 84, and then I will recognize the mayor pro tem to offer to potential amendments and will then recognize councilmember Bella, who has a potential third amendment mayor pro tem moves adoption of item number 84. It is seconded by council member qadri. The chair recognizes councilmember mayor pro tem on what you have in front of you that indicates it's a motion sheet number one. >> Thank you, mayor Ellis. Motion sheet number one is coming from Ryan alter and his office, and it is a motion to remove the slaughter creek segments, 27, 28 and 29 from the urban trails plan. >> Is there a second to the motion to amend it, seconded by council member pool? Is there

[11:37:39 AM]

council member pool? Is there any discussion with regard to motion to amend number one, councilmember Bella just wanted to make a quick comment. >> I'm going to be generally supportive of using creeks as our urban trails and honestly generally supportive of using eminent domain to make trail connections where we need to make them given the situation, though, with with councilman alter off of

the dais and his his district, I don't know enough about it. I will support the amendment and defer to his judgment and the concerns of his constituents. >> Thank you. Council member. Further discussion? Without objection, amendment number one to item number 84 is adopted. Chair recognizes mayor pro tem Ellis on motion to amend number two. >> Thank you mayor Ellis. >> Motion number two is for district eight. The trail which goes from the white oak hill and is intended to connect it into the Barton creek greenbelt is something that has started with

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something that has started with 2016 voter approved bond dollars . Given the sensitivity environmental sensitivity of some of the locations and the number of different property owners that have had to be involved in conversations, it will need to find more funding. But we wanted to keep it as tier one as it has been identified since 2014, just so we make sure it's a high priority. We're very blessed to have the violet crown trail running north south through district eight and we just need that east west connectivity to make sure that people have safe urban trails and other routes other than being very close to highway traffic. >> Thank you, mayor pro tem, mayor pro tem Ellis moves adoption of amendment number two to item number 84 is seconded by council member qadri. Is there any discussion? Is there any objection? Without objection, a motion to amend number two is to item number 84 is adopted. Council do you have a potential item motion to amend number three to item number 84? I'll recognize council member vela. You have a handout that

[11:39:39 AM]

You have a handout that indicates council member vela amendment one version one council member vela. >> Thank you, mayor. This is an amendment to extend Dale drive in the neighborhood between Galt street and Anderson square drive. I believe the development right in that area where the hobby lobby and the pink gorilla and the bingo is right there is going to be redeveloping in the medium term. And if we can extend a Galt street to connect to Anderson square, then that lets both vehicles, bicyclists and pedestrians connect directly into the development without having to get onto Anderson lane. So in long term, I think it's a good idea for both pedestrians, bicyclists and vehicle traffic flow to extend that street through that private property there. And wanted to add it to the for consideration by staff and future work.

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by staff and future work. >> Thank you. Councilmember councilmember Bella moves adoption of amendment number three to item number 84 labeled amendment one. Version one seconded by council member harper-madison. Is there any discussion? Ann any objection? Without objection,

amendment number three to item number 84 is adopted, and that takes us back to the main motion, which is to adopt item number 84, as amended by the three amendments. Is there any discussion, any objection? Without objection, item number 84 as amended is adopted with council member Ryan Alter being absent members. That completes all of the items we have on our agenda until our 12:00 time. Certain so the city council will now, without objection, the city council I'm sorry. Council member Alter I had asked for an executive session for item 21. Let me finish this. I'll get you there. The city council will now go into a closed session to take up

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into a closed session to take up one item pursuant to section 5.51071 and 5.51072 of the government code. The city council will discuss legal issues and real estate matters related to item number 21, which is to approve an ordinance authorizing the negotiation and execution of all documents and instruments necessary and desirable to convey approximately nine acres of parkland located at 2525 South Lake Shore Boulevard, also known as the Central Maintenance Complex to Oracle. Is there any objection to going into the executive session? Without objection, the council will now go into executive session for members of the public. It is 11:42 A.M. We will all do our best to conclude this executive session before the time certain of 12 noon and we will come back in to an open session. At that point in time, we are headed into a closed executive session at 1142, a.m. on November 30th. Good afternoon, everybody. It's

[12:00:24 PM]

Good afternoon, everybody. It's 12:00 pm on November 30th, 2023. We're out of closed session in closed session, we discussed real estate issues related to item number 21. Mayor members. We will now go to our time. Certain public communication before we begin the public comment period. Please be aware that behavior that violates the rules of the council meeting will not be permitted. You may not speak out of turn, defame another person, use obscene language, use abusive language that is likely to incite a breach of the peace. Make threats of violence against another person or otherwise disrupt the orderly, orderly conduct of the meeting, such as screaming out comments. Also note that you should speak on the item that you signed up to speak on and it must be your speaking must be relevant to that item. If a person violates these rules, the time may be cut short or you may be removed from

[12:01:25 PM]

short or you may be removed from the council chambers for the remainder of the meeting. With that, I'll turn to the city clerk's office and to help us navigate through our public comment period and welcome everybody that's here. Thank you, mayor. >> First up, we have Paul Robbins for general public communication on. >> Welcome, Mr. Robbins. >> Hi, mayor. >> Council. I am the humble vice chair of

the resource management commission. We research policy related to energy, water and related climate issues and advise council on direction. >> In the past 15 months, we have sent four separate resolutions to you related to the failings of Texas gas service in the in their conservation programs, as well as the company's treatment of the poor and high utility costs. This is the equivalent of a four alarm fire. Our advice is

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alarm fire. Our advice is non-binding, adding still, if people you appointed consistently make these same points over and over again, I urge you to heed them. Most of the Texas gas service conservation budget refer kemble's a skimming operation in in 2022 to the company misspent about \$2 million in central Texas on what amounts to glorify marketing and greenwashing. It will give closer via rebates of as much as \$325 to save \$1.39 a year in fuel oil. It will give rebates for furnaces and water heaters that save so little energy that they do not pay for themselves. Luz and similar misspending has occurred for most of the past 20 years. Further according to a national survey, Texas gas service rebate

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survey, Texas gas service rebate S are way higher than the average for its peer utilities. I have been a conservationist since I was a teenager. I personally find it bewildering and embarrassing that the city is allowing the company to waste customers money on glorified marketing in October, the resource management commission sent a resolution to council asking you to lower this bad spending and use some of the savings for a assistance to the poor. It would have been preferable to act by the end of today. Since today is the deadline to change the tariff amount. How ever it is not too late for action. If you lower the rebate amounts, the savings will accrue and allow you to lower the conservation surcharge next year. And in the meantime you can set up a pilot customer assistance program, haam high

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assistance program, haam high winter bills coupled with fuel cost increases are upon us. I urge you to act and stand ready to help you. >> Thank you. >> Next speaker Barbara Macarthur. >> Hi, I'm here today to talk about the home initiative. The home initiative and mass rezoning will not create middle class empowerment or affordable housing for lower income people. Many of my remarks are done from research I did from an article called the perils of land use deregulation by Richard Schrager. This article is 89 pages long and has 360 reference pieces of facts. It's new land use control is a core power of local government and deregulation of that many properties is giving away the

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properties is giving away the government's power to the market . The emphasis on up zoning as a false cure for unaffordability easily distracts from those substantive economic efforts, like fair wages and hours reform health care and paid leave, eviction and tenant protection and labor rights. The deregulation of zoning has dramatically worsened the problems of socioeconomic segregation. The this deregulation will mostly redound to the benefit of investors and developers and not to those residents with limited resources who seek to afford to remain in place. The benefits of zoning reform will thus accrue mainly to the already wealthy and wealthy to be who are being driven to the region by its particular employment portfolio. Meanwhile while land use deregulation will likely encourage gentrification and displacement of poor communities who can easily bail out bid for favorable locations, policies such as blanket up zoning principally unleash market forces that serve high income earners, therefore reinforce the

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earners, therefore reinforce the effects of income inequality rather than tempering them. Zoning deregulation will exacerbate inequality. Market favoring policies are likely to encourage displacement. Instead of Ameliorating it while supply side policies might lower the price of the high end of the income scale, they do not to be a effective to providing housing beyond the top quartile. The top 25% of earners is this face in markets generally and the housing market in particular warranted the theory of land use deregulation is that it will lead to the construction of more housing, which will lower prices for all housing consumers. The housing market, even in the absence of legal restrictions, does not usually and may never respond to the needs of low income or even moderate income consumers. In high demand cities and regions. Studies show that housing costs in high demand areas have fallen for the top quartile of the national income distribution, but at the same

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distribution, but at the same time have risen for the bottom half. Upzone only generally raises land values by unlocking development potential. If the high cost of land is the primary impediment of affordable housing, then adopting policies that increase underlying land values rather than decrease them is a mistake. So this is not middle income empowerment, and it's free market empowerment. >> Next speaker is Anna Aguirre. >> Good afternoon, mayor and council members. My name is Anna Aguirre. I'm the president of the Austin neighborhoods council . Mayor Mcfadden, councilman Mueller, panel and stick with councilman reed. Absent notice, these council, these references to councilman. It was March 22nd, 1928, the day the 1928

[12:08:31 PM]

22nd, 1928, the day the 1928 master plan was approved by the then city council. These members were all white men. Today, this council is much more diverse because of us. The home resolution currently reads. It can be, as it currently reads, can be compared to the 1928 master plan, which is racist. The home resolution Ann effectively competes, completes the intent of the master plan by gentrifying the eastern crescent and effectively displacing the working class. We are the ones that made Austin. This council needs to recognize that housing is a human right for all, and especially the most vulnerable. My question to you is what will be your legacy if the home resolution is passed as is? Is it your intent to effectively gentrify every person standing here and those who cannot be here today? Because because they reside within the eastern crescent telling us you care about those of us in the eastern crescent will only be meaningless if your action is in contradiction and demonstrates you voted in support of the home resolution, which is racist

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resolution, which is racist because of the harm it will do to the eastern crescent. Keep your some of you ran on the affordable housing message and promise us keep your promise and don't erase those of us that are most vulnerable in the eastern crescent and ensure that every land development code revision includes true affordability requirements. There are also no guardrails to public safety and those anticipated here in could also impact on the environment at the occupancy limits. There's what about sex trafficking and unsafe live conditions, impact on utility and drainage infrastructure, public safety and service infrastructure, potential of new loss of life and property. As a result of the proposed additional density in areas susceptible to crack and localized flooding. We are in flash flood alley potential loss of tree canopy due to additional density, potential loss of green space due to additional density, we ask you postpone your vote on the home resolution to 2024 and bring forth phase one and two. Together, we demand the council implement strategies to ensure

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implement strategies to ensure qualitative community engagement with those represent vulnerable communities. Environmental neighborhoods, public safety service departments and the development community. The ANC executive committee has previously submitted a resolution with recommended actions the ANC initiated communication with the planning commission and thank the commissioners that met with us. We have initiated communication with the mayor in each council member. We thank the council member that has met with us. We look forward to meeting with the rest of you if given the opportunity. Thank you for your time and consideration. >> Next speaker is Cindy reed. Good afternoon.

>> Soon when the colonists came to America, they needed shelter. The indigenous people were here first. Today we look back and we can't undo the harm that was done. But ask yourself, is it ever okay to take someone's land? No no. So saying that we

[12:11:35 PM]

land? No no. So saying that we need to subdivide properties that have existing homeowners and renters because middle income people need more opportunities for housing is just wrong. This is not about affordable housing. It's about land. And if we can't make more land, what do you do? You subdivide and conquer more. Tuesdays Austin business journal article title includes home initiative praised by developers. Austin developers are waiting with bated breath owner of infill development housing consulted with councilmember pool as she drafted the proposed plan where was the community input in the draft? Let's analyze middle income. It's never defined the median income in Austin is 86,000, making 80,000 max you can afford is 252,000. A teacher makes 55. Firefighter 54. Police officer 65. Our waste people 39. So if this is for middle income, the new housing built will not be for these folks. If the goal is to build more 500 to 7000 houses right now, a \$500,000 home in d4 with 20% down would have a mortgage payment of about \$4,000. You would need an income

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\$4,000. You would need an income of 142 000 to afford it. Financial website motley fool states that the upper class top 20% of earners make 149,000 or higher to the with the cost of materials, land permitting and labor new housing at \$300,000 and below is simply not possible. This is an upper class plan, not a middle income plan. We have an undersupply of truly affordable housing to get that done. It will take specific policies and money from government to make an impact. Deregulation and letting market forces play themselves out will not do it because the math doesn't make sense. If the goal is to create more housing, why not maximize what's already capable? Today, almost every single family lot is allowed in Adu why aren't homeowners taking advantage? Because the process is mired in red tape and prohibitively expensive to bring down the permit costs. Simplify simplify the process preapprove a 10 to 20 Adu plans that can be fast tracked through permitting and inspections. Don't forget that small area planning is and can still happen. Developers can still push through density projects by coming up with a

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projects by coming up with a plan and working with the community and city hall for a variance. Don't ruin and displace folks in our community when infrastructure, equity and unintended consequences haven't been studied. The people that will be most impacted by this are the laborers and low to middle income earners, and they can't be here today. They're working. I'm here today because my ancestors

picked cotton. My dad, who only has a eighth grade education, but saw to it that I got one. And whenever I get tired, he always says, at least you don't have to pick cotton. Speak up for us. That's why you have all those degrees. So here I am for my people. The low income, the black, the brown, the elderly, those on fixed income. I can't justify pushing out the poor so that high income earners can feel empowered to take people's land. This is wrong and don't just believe, but I know that each of you got into public service to help and serve your communities and you know that this plan in its current form harms and does not help. Vote no and postpone. >> Thank you. Thank you. Next

[12:14:36 PM]

>> Thank you. Thank you. Next speaker Noel Elias. >> Good afternoon, council mayor. I'm Noel Elias. >> I am a third grade dual language teacher in Austin ISD. I'm also the vice chair of the Austin community development commission. As a teacher, I see every day how our families are being displaced from our communities and also our educators are being displaced at this home initiative. Will exacerbate this. My families, who are mostly renters and low income homeowners, they live in older houses or in mobile homes in large lots and their greatest fear is that a developer will come in and buy up these properties and they will be forced out of their communities. We see this happening every day. Developers are coming into our community and buying up properties and displacing those renters and those mobile home owners. They target our communities because land is cheaper and they can make a bigger profit. I've seen my

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bigger profit. I've seen my students homes torn down and those lots and they build 2 to 3 houses selling them for 600 to \$700,000 each. My families, our teachers cannot afford this. This is a community where people make less than \$50,000 a year home will accelerate gentrification and displacement in these communities. Home will displace black and brown renters and homeowners from their own neighborhoods. I'm here to ask council members to prevent the displaced of these families by voting no on the home initiative. Don't give developers the green light to finish gentrifying east Austin. On November 14th at the Austin community development commission, we voted unanimously to recommend that the city council postpone the vote on phase one and two of the home initiative. The cities own staff report warns that this initiative will cost more displacement through increased property taxes and increased rents, and that those with few resources will not be able to benefit from the home initiative. I ask you to vote no

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initiative. I ask you to vote no until we can find a way to protect the communities most vulnerable to displacement. Vote no until we find a way to help low and middle income. Austinites through this housing affordability crisis is the real solution is to preserve existing affordable housing and to build more deeply affordable housing. Vote no on the home initiative. I would also like to add that the city council needs to stand up against genocide and palestine Ann stand against displaced doesn't stand against the displaced mint in east Austin and against the displaced and the genocide in palestine. Thank you. >> Next speaker is Karina Martinez. >> Good afternoon, mayor Watson and council members. My name is Karina Martinez and I'm a fifth year first generation student at UT Austin studying sustainability studies and sociology. I came here from the Rio grande valley for school and have lived in west campus for

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have lived in west campus for the past four and a half years. I have to concerns that I would like to bring up before you today. The first is that the home initiative is a dangerous policy that will only further gentrify communities in the eastern crescent. Many students have been misled to believe that urbanist profit seeking plans for the housing market will also help low and middle income communities of color. The misconception that building more housing will lower housing costs is what we're fed by many at school. Nonetheless what's being taught demonstrates the long standing disconnect between academia and community and community and does not capture what's actually happening in Austin today. I'm here to share some of the truth based on lived experience and what has happened in the past. The city building more, more market rate and luxury housing that has never been accessible to low and middle income communities of color in fact, the home initiative will pour gasoline on the fire that is gentrifying action in Austin. It's quite simple build a building luxury housing will increase property taxes, drive up speculation and pressure. Low and middle income homeowners to sell to developers

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homeowners to sell to developers as a district nine resident, I have watched the cost of housing rise each year. Even living in a housing cooperative where we can set our own rent and it's increasing by 4% by the board of directors because of the influx of luxury apartments that remain unaffordable to most students and warp the worth of housing nearby communities, renters and low to middle homeowners across the city will thus be displaced with home, particularly from east Austin, which developers will target first as they have time and time again. It breaks my heart to see this happen markedly from a council who claims to care about its constituents. Home purports to serve young people like me, but if you vote to pass it as is without affordability requirements, it is clear to me that building a life here as either a home owner or a renter, would be a precarious endeavor. So what's stopping y'all from implementing affordability requirements? If you want to make Austin more affordable, what's stopping y'all from saying no to home? A dangerous proposition backed by billionaires and developers who only speak the language of

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only speak the language of profit. What's stopping you all from listening to the communities you serve? This has never been about how much housing there is, as we have an ample supply. It is about how affordable the housing will be. Developers just want you to let them build more so they can make more money. Second, it would be remiss of me to not mention the parallel I've noticed between the home initiatives push for the displacement of black and brown austinites and the removal of Palestinians from their homes, from Israeli by Israeli occupation forces, gentrification and settler colonialism. Colonialism are inextricably linked to one another. And how, as one stated by the Brooklyn anti-gentrification network, the legacy of the us is built on an invasion and theft of land from the indigenous peoples of the Americas to the current theft of land from historically low to middle income communities of color by city governments and real estate developers. In this regard, I request your support for the resolution passed by the human rights commission. >> You thank you, speaker next. Speaker is Deborah blumentritt. >> Hi, my name is Deborah

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>> Hi, my name is Deborah blumentritt. I am in chito villas district eight. Hello, but I am here to read a statement from someone I haven't met yet, but he is also a resident of district four. His name is Jose Moreno and he says hello. Good afternoon. My name is Jose Moreno. I am a resident of d4 and a constituent of council member chito vela. We are here to touch on the theme of the crisis we are experiencing in Austin, Texas about renters and those without housing who need access to dignified housing. It has been very difficult and is a challenge. We live through daily trying to pay the rent with investors who come and buy properties up where there are already people living and without caring about those who are affected. They take homes away from renters to demolish and build much more expensive housing. It's difficult to afford the rent as it is, and many people without housing

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many people without housing cannot afford or qualify for the rent. Right now. I spoke out in the past when my neighbors at old homestead were at risk of homelessness and displacement because because the city allowed a developer to build a luxury condo with some affordability requirements. Although none of the units would be affordable to me or my neighbors, the developer did not want to give us a penny to prevent displacement. We had to fight them to receive compensation and avoid homelessness. Though we are still lost, although we still lost our housing for the building to be demolished, the developer justified this by saying Austin needs more housing . Why would you think developers would build housing affordable to middle income people? Austin needs more affordable housing, not housing

for the rich. The home initiative doesn't even have any affordability requirements. And since developers are motivated by profits, they will only build

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profits, they will only build more housing for the rich. I have heard you say there are no solutions being offered, but I came during the budget hearings to speak and ask you to fund the anti-displacement fund for renters displaced by developers and our pleas were ignored. What is the main issue we face to pay the high rent? Low wages that business pay from \$13 an hour, which sums to 1900 to \$2500 a month, which is not enough to pay or qualify for rent. In Austin. That doesn't count food, electricity, gas, necessary services. It's necessary to have multiple jobs to get ahead. One of the problems that we know of and shouldn't ignore is that people who are living on the streets and don't have the housing they need. I hope and many people with good intentions hope that you all will take the correct position and have success in understanding our situation. Ann through these conversations, as we are asking that you vote against the home initiative because thank you very much. As I've said, thank

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very much. As I've said, thank you. >> Next speaker is Nadia Barbo. >> My name is Nadia Barbo. I live in district one in council member harper-madison district eight. Today I am reading a statement from Sylvia Zubieta. My name is Sylvia zubieta. I am a young austinite in district two and my parents are homeowners. As dove springs has been my home for almost 25 years. I was born raised and fought for human rights in our little three bedroom home following my mother's footsteps. This city I once loved is shifting toward something benefiting only corporations and the wealthy. Community activists , some who uplifted council members in their districts, are being forgotten in the process of certain policies. People who have owned their homes for

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have owned their homes for decades are barely surviving in the city that they made. They make too much to be able to qualify for assistance from the city and federal government, which, I will add is underfunded and overwhelmed with people in severe crisis, but not enough to live comfortably. Like many of the council members, the home initiative, which was created and funded by the wealthy, will only create a greater strain by the growing property taxes for low middle class families like my own and many others I know some of the people it claims to help are literally one accident away from being homeless as this solution is not realistic when wages are stagnant and cost of living is growing at a rapid rate, we will be forced out from the city we helped create because elected officials have continued to decide their donors and corporations were more important for their political ambitions. Displacement

will be accelerated because this initiative is wrapped up in a pretty little bow that has no real limits or failsafes with this, the wealthy continue to

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this, the wealthy continue to exploit the land and working middle class brown and black folk purchased and continued and cultivated excuse me, the corporations and the rich will take credit for the beautiful buildings and homes being laid. Brick by brick by the immigrant community while my people's homes are being demolished and pushed to the periphery like always, as the wealthy and corporations will reap the benefits that we showed, we are not against growth. We are against corporations and the wealthy, sometimes not even living in Texas, buying up homes in impoverished areas and then they dictate policies such as the home initiative as a solution they helped create. We are not against growth. We simply want growth that will benefit everyone. We want initiatives that are intensely studied and proven to work. We simply want a solution that will allow for growth and for us to stay in our home that holds memories of our families. We simply want to live in the city that we fought for. Today, I urge you to protect our community with amendments like

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community with amendments like the overlay covering neighborhoods like mine vulnerable to displacement, stop the home initiative and postpone for true community input, she says. I could not be here today with work and the holiday season. Sylvia Zubieta, district two. Thank you. >> Thank you. >> Next speaker is Monica Guzman. >> Excuse me. >> Good afternoon. I'm Monica Guzman, policy director at Go Go Austin. Vamos. Austin. I'm reading one resident statement and playing another. The photos you were just given are for the second statement. Good afternoon. My name is Randy T. I'm a homeless person in district seven. Every day I have to worry about where to keep my things and belongings. They get taken and thrown away. The city comes every week and throws away your stuff so you have to move stuff around and it's your personal belongings. So you have to start over. I have to get new clothes every week and find jobs in the area where I can sleep, which is nowhere near. You're not in a good mental state of mind. It's

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good mental state of mind. It's cold out there, so you're constantly moving. And when you find a warm spot, they kick you out of there. You have to move to different territories and they push you. That way with people you don't know. And that's dangerous. I know they criminalize camping, have been moving. People like me farther out with nowhere safe to stay or sleep, to clear the way for luxury developments. So understood when I heard about the home initiative and how it's going to cause housing costs to rise

in east Austin, gentrification has already happened in east Austin, but anyone who is left and low income black or hispanic person will get pushed out. This is going to be very, very bad. Lots of people are going to get hurt and think crime will build up because people have to steal more to survive. If you are invested in affordable housing with peace of mind, it would be cool. But this is the opposite of that. With no affordability requirements, you might think this doesn't matter to someone homeless like me, but have gotten no help from the city to get housing over the past three years of asking for help and making more people homeless. Driving up the rent so I don't have a chance to get an apartment that does impact me

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apartment that does impact me and other people on the street. So statement is recorded. I'm going to put it on the microphone. Hopefully I'll be able to hear it. Oh sorry. >> Second, neighbors that would like to be here, but we can't because of our working hours. >> Thank you for hosting this would be nicer if you had it later in the evening. >> So we could all attend as you can see from the pictures, we have serious flooding problems in the dove springs community because of impervious cover. >> Further upstream, if you change the housing codes, it's going to make the situation a lot worse and we'll be subject to more flooding impervious cover increasing will increase with the change of the code will

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with the change of the code will affect our lives and the value of our homes. Please consider what you're doing and would like you to take care of the issues at hand. Upkeep of our creeks. >> Thank you. >> Thank you. >> He's referring to the fact that there's no drainage in the initiative of the next speaker is Kesha. >> Prince. Schiera Katy. >> Good afternoon. >> My name is Kesha prince and I'm a long time resident of Austin. Displayed first from district three and currently living in district one. I previously fought with my neighbors to prevent evictions after the winter storm. Uri and mismanagement at the rosemont at oak valley apartments. I asked the council to prove that you

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the council to prove that you truly care about the housing crisis displacement and low income renters of color. By opposing the home initiative. The home initiative will push out poor people for supposedly middle income people. What do you consider the middle class without no requirement, there is no way home will build. Will build for middle income people. They don't have to build for middle class people or the poor. They can go straight to the top. That's awful. No home will build up wealthy people, not middle income. Do you really want to displace and gentrify the eastern crescent? Are you really okay with displacing low income renters like me? For wealthy people and investing investors profits? The way

home is written is very deceptive. Hope home is not going to create affordable housing for middle income people . All it's going to affect the quality of life for low income renters and people. It's going to push people out because was

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to push people out because was displaced. I lived. I currently live in a house that I rent using my section eight voucher for went home, causes the property taxes to increase. It will cause landlords to raise the rent. And then I would be faced with possible homelessness and nowhere else to go. This will increase the homeless population in this will line the pockets of investors and wealthy landlords as houses are demolished. Right now it's almost impossible to use a section eight voucher. Rent is going up disproportionately and the vouchers aren't increasing at the same rate. Last month, 500 people lost their vouchers because they couldn't find a place that would accept the voucher. If you want to address the housing crisis, address the discrimination against vouchers, voucher holders, but instead you are increasing the rent, making our vouchers useless. This makes me furious. A voucher used to guarantee you to get into a

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guarantee you to get into a decent house. We hear that there's rent relief and that's supposedly the solution to the displacement. But what is rent relief? Who gets rent relief? The funds run out. The platform crashed within an hour because so many people applied for it. So that's not good enough. Many of you are saying keep saying the community is not offering solutions. The solution is are stop these zoning changes that make the housing crisis worse to invest in community land trust and renter cooperatives and in deeply affordable units, 60 and 80% is not affordable. We need 50, 40, 30 type units as a possible solution. We cannot do this vote no on home, protect low income neighborhoods in the eastern crescent and should postpone or postpone the vote. Thank you. Yes thank you. >> That concludes today's

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>> That concludes today's general public communication. Thank you very much. >> That concludes all of our today's 12:00 time. Certain general public communication. We appreciate everybody that was here today. Mayor members, what we will do now and for members of the public, what we will do now is we will recess the Austin city council meeting so that we can have our live music. We will recess until 1:00. We will reconvene at 1:00 for purposes of going into an executive session, Ann but we cannot go into an executive session absent doing that in an open session. So without objection, the city council of Austin,

Texas, is recessed until 1:00 for our live music and we will return at 1:00. Thank you. And that is Leslie Cavazos. Yeah

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And that is Leslie Cavazos. Yeah born in Monterrey, Mexico, Leslie Cavazos has been influencing people to explore their talents without the boundaries of language, ethnicity or gender. For 15 years now. She's been blessed to be able to use her talent and passions of mixing music and djing to bring happiness and dancing to anyone's Luz day Leslie has been deejaying and all varieties of events, including radio, clubs, TV, quinceaneras, weddings and fundraisers. Austin has been. Leslie's adopted home since she was three years old, and it's her honor to be able to give back to the community as well as represent her beloved Mexico. She believes that music has a beautiful, magical way of bringing people together to provide hope, happiness, and to help people through hard times. Her rule on her day to day is to

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Her rule on her day to day is to do something nice for a stranger here and appreciate the little things in life while listening to your favorite music. And it's our great pleasure and my great honor to introduce to you dj Leslie Cavazos. Bueno nosotros. No queremos competencia Lugar para todos, el Lugar, para Su Lugar para todos un saludo para todos viendo como Mexico. Es un sueno siempre lo imposible es gracias como Alberto de lo. Love mezclas con Leslie Cavazos eso. We love lo ogunbode. Ladies.

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We love lo ogunbode. Ladies. >> They do say marriages, marriage, a joy, Joseph they. Are very. I Leslie. La misma situation cuando para

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La misma situation cuando para salir cualquier de la la Valdez. MI Corazon, Corazon la Fuerte la MUSICA la MUSICA de MI Mente Pero. Solo Yo estoy a la gente haam. No, no, no, no, no, no, no, no,

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No, no, no, no, no, no, no, no, no. La la la la. La la la la la la la la la la la la la la la la. Nina la la la la la.
>> Habibie. Yo, Maria, forgive me. >> De la Vida de la. Radio Maria , forgive me. De la Vida la radio.
Maria de la bienvenida Yo , Maria. De la. It's somos muchas gracias. Austin Texas amiga Leslie

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Austin Texas amiga Leslie Cavazos poner un poquito de todo a little bit of everything all around the world. Remember world peace. We love you guys. Thank you for all the love and support . Zo amiga representando las mujeres Mexico. Austin, Texas. Gloria Leslie Garza. >> Thank you so much. >> Much love you guys. Always be blessed and remember, appreciate the small things in life. Love you guys. >> Thank you. Thank you to the mayor of Austin. It's an honor. Thank you so much. Thank you, mom. Thank you, dad. >> We did it. We made it. Gracias, Edwin Leslie Carbajal. Leslie Cavazos. Mayor, pro tem, council member. >> Any council members come. Come up here. Want to make a special proclamation? Thank you. Yeah. Please step up here. Yeah,

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Yeah. Please step up here. Yeah, yeah. Those. Those. Yeah the shiny ones. I've already told her I have a granddaughter that would love all that pink equipment. Yeah, that's right. It's wonderful. Yeah. Thank you very much for being here. What a tremendous job. So let me read this proclamation, because this is a special proclamation. Be it known that whereas the city of Austin, Texas, is blessed with many creative musicians whose talents extend to virtually every musical genre. And. Whereas, our music scene thrives because Austin Austin's audiences support good music. Produced by legends, our local favorites and newcomers alike. And. Whereas, we are pleased to showcase and showcase and support our local artists now, therefore, I, Kirk Watson, on behalf of the Austin city council as mayor of the live music capital, do hereby proclaim November 30th, 2023, as Leslie Cavazos day in Austin, Texas. Thank you. Thank you.

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Texas. Thank you. Thank you. >> Thank you. >> Let's let's take a picture. But before we do that, tell us where we can see you perform and how we follow you on social media. Things like that. >> Perfect. Yes thank you so much for having me. You can follow me on Instagram Leslie underscore atx, also on Facebook. Leslie Cavazos and will be popping up in different places. I'll post it up and there's going to be so much, so much surprises, especially if there's a benefit for cancer or kids with cancer. I would love to go help out. So you'll see me soon. Thank you so much. Thank you. Really. >> Leslie Cavazos. Thank you. >> Thank you. Come over here. Thank you for having me. >> I want to take some. What a Sunday. Oh oh, yeah,

[12:59:29 PM]

What a Sunday. Oh oh, yeah, yeah. >> Give me a second. I'm not really. Probably no, I can come. I can come over. Just give me a second. Oh, sure, sure, sure. >> Yeah, we're going to convene for just a second, I guess. Oh, no, no, no, no. Let, let, let the council, please. >> I'm over here. Over here. So

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>> I'm over here. Over here. So you can see me. >> I'll call back to order the Austin city council. It's 1:00 pm on November 30th, 2023. Our next agenda scheduled agenda item is at 2:00, which is our zoning matters. However, what we're going to do is if there's not an objection, the city council is going to go back into a closed session to take up one item. We had recessed the executive session previously, and pursuant to section 5.51071072 of the government code, the city council will discuss legal issues and real estate matters related to item number 21. Is there any objection to going into the executive session on the item that's been announced without objection, we are recessed out from the Austin city council meeting at 1:01 P.M. To go into a closed executive session. At the end of that executive session, we will return if we return in time, we will take up item number 21 and then go to

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item number 21 and then go to the 2:00 time. Certain thanks, everybody. Okay.

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Okay. Good afternoon, everybody. I'll

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Good afternoon, everybody. I'll call the meeting back at the meeting of the Austin city council. Back to order. It is 1:48 P.M. We have a quorum of the city council present. Madam clerk, do we have anyone signed up to speak on item will take up now. Item number 21. Do we have anyone signed up to speak on item number 21 that didn't speak earlier today on item 21? >> No. Mayor all right. >> Thank you. Then then in that case, what I would recommend council is that we get a motion on the floor so that we know

what we're debating. Councilmember pool. I'll recognize you, mayor. >> I'll move to approve item 28, the staff recommendation 21. Did I say 28? Yeah, I meant 21. All right. >> I thought that's what you meant. Thank you. That's what I heard. I just wanted to make sure. Seconded by the mayor pro tem members, we have a motion on the floor, and that is to approve item number 21. I'll recognize council members for discussion at this point. Councilmember Allison alter.

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Councilmember Allison alter. >> Thank you. I would like to make an amendment. I would like to move to amend part two of the ordinance to, one, delete and execute, delete and execute in line 67. Remove meets or in line 77 and three. Add new paragraph four that reads as follows the new facility will also be designed to incorporate more or all of the recommendations of the concept site and floor plans included in the McKinney York architect study, dated February 1st, 2023, that was commissioned by the city with particular attention to including separated workspaces for the various trades providing for shade and necessary irrigation systems and ensure the city has the ability to expand the facility in the future, including utility sized and set to accommodate that, expand Ann the final design should more closely reflect the needs assessment developed in the study and be a collaborative , iterative process. >> Members, you've heard the proposed amendment number one to item number 21. Is there a

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item number 21. Is there a second, a second by council member Fuentes discussion on this item? >> I'd like to speak to my amendment, please. >> Might you're recognized so in Ed with respect to this amendment, the goal of this amendment is to make sure that that when we finalize this deal with Oracle to give up parkland on our east side that faces our trail in exchange for park land elsewhere on the east side, as well as for the rebuilding of a central maintenance yard in district one and district park that the central maintenance yard that we're building meets the needs of our department as laid out in a study that was done by McKinney York architects that was published February of 2023 but worked on for long

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2023 but worked on for long before that. >> There are a number of issues that are of concern to me in the proposal in the exhibit that that I question whether we are we are meeting the needs of our department and our employees are there are needs to have separated workspaces for the various trades. There's need for shade and irrigation systems. There is need to be able to expand this facility in the future where we are essentially rebuilding a facility from the 1980s of the same size and saying that that is our new modern cmc, that we promised to the voters. I think this is a reasonable request. I think it is a clear request. I think it is in the interest of our community. I think it is in line with what we

promised the voters . >> Is there any further discussion on the motion to amend the main motion, which is

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amend the main motion, which is to approve item number 21? I don't know if councilmember Avila is going to be on the dais or not. >> Well, we've called the meeting to order those in favor of the motion to amend. >> Please indicate by raising your hand. And that all all those opposed raise your hand. >> We have to consider reconsidering the vote. >> If you'd like to. >> We're voting on the motion to amend by councilmember Allison alter. I've called for a vote of those voting yes and then I'll call for a vote for those voting no. Those voting yes. I have. I've already counted those. Those opposed and say indicate by raising your hand. Councilmember. I'm sorry.

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Councilmember. I'm sorry. >> This is councilmember Allison alters motion to amend and the this was on the no on the on the amendment the last the last one we just do we're doing with voting no I will go yes on the amendment. >> Okay. And then on councilmember Kelly I apologize I didn't look up how did you vote? >> I voted no against the amendment. >> Mayor, for what it's worth, I don't want to interrupt the process, but you'll probably go back and recognize it. You didn't catch a vote one way or the other from me because I didn't quite hear where you. I didn't know if you were going to reconsider the yes and the no vote for councilmember Bella was a no vote. I was on the latter. >> You're a no vote. Thank you. Thank you. There being five yeses and five no's, the motion to amend fails. That takes us back to the main motion. Without out

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to the main motion. Without out the amendment discussion on the main motion, I'll recognize councilmember Allison alter. >> Thank you. I'm sorry that we were unable to pass that amendment because I think it's going to be we're going to be facing some problems as a as a community moving forward and want to get several things on the record, because I think that there's some real challenges with what's before us for this vote. First, I want to draw your attention to the rfp that was issued after we after the voters voted to put this to approve this on the ballot in 2020, the rfp addendum, which has been included in the q&a after I requested it, the addendum refers to staff responses to Oracle's questions about the design specifications that they should submit fit. As I understand it, the answers from staff were informed by the independent study commissioned by the city and completed by

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by the city and completed by McKinney York architects, which is a public document that details our assessment of what we felt like we needed for our central maintenance complex. As as you'll see in the responses, as such, as the number of employees that we need to be accommodated in response to question six or the typology of the work spaces workshop spaces, plural. Although we're only getting one in this drawing that we have for exhibit a today that our field crews would need. You know, we need to compare those two exhibit a, the rfp says we need to have 250 field employees and 100 office. We're nowhere near that in the numbers that are in exhibit a, we don't have the separated work spaces as there's no shade, there's no you know, the space is inadequate and there's a lot of issues. And you don't have to just take my word for it. I also requested the evaluation of the proposal and what you'll see is that out

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and what you'll see is that out of 100 points, Oracle. Scored 37. It received on the cmc component, which is the one that I've been trying to question, a mere five points out of 30 in the scoring process. You know, this all comes at the same time that we are supposed to feel that a surrounding a pond makes it waterfront. You know, now we're going to say that a score of 37 out of 100 points and five out of 30 for the cmc is sufficient is this really the best that we can expect from a corporation that orchestrated and engineered every step of this process so that they would have access to this property that is owned by our public and is parkland. I think that is, is a problem. Matic I have some questions that I would like to ask staff if I'm not sure who's responsible here, how many responses did we get to the rfp? >> We received a single response

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>> We received a single response . >> Do you have any idea why we only got a single respondent? >> The proposition did have limitations on it, so it needed to be at least 48 acres of lakefront property and that was contiguous to another park. So what the voters approved was fairly narrowly defined. So we didn't expect we would get a lot of respondents to this proposal and we only received one. >> So I'll just point out that I think most people thought they were getting lakefront property. As you just said. Mr. Benigno but we've already established that we're getting a pond, not lakefront property. So, so how long was this rfp out for issue that I don't know. >> I'd have to get back to you. >> Okay, well, it's three weeks over Thanksgiving, so it's also not surprising that we get one respondent. The water feature, the ballot initiative said at least 48 acres of waterfront

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least 48 acres of waterfront land contiguous to an existing city park can you remind us what exactly is the water feature that you've determined? This proposal offers us to meet the criteria approved by the voters. >> Sure, and it's one of the findings in the ordinance. >> There is a large pond or a lake on the property. And it's also contiguous with with a creek. >> Okay. In the rfp, in the q&a, I asked, how the requirements were negotiated downwards. So we have an addendum to the rfp. And in that staff indicated that, quote, the parks and recreation department provided the current square footage for all the various buildings and storage workspaces, etcetera, of both the central maintenance complex and the fiesta gardens maintenance facility. Oracle committed to providing a new facility that provides the same total square footage, but in a new modern and far more

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new modern and far more efficient space. So this is my question. We gave them the square footage we currently have, and so they are giving us square footage that was adequate when we built this facility in the 1980s. And we believe that the amount of square footage that was adequate for our needs in the 1980s remains the adequate square footage 40 years later, as our city and park system has grown and expanded. How did we arrive at that conclusion? >> I don't know that I would agree. That's a conclusion. We arrived at the conclusion we arrived at is that the voter proposition called for a new central maintenance complex facility. And this proposal from Oracle does indeed provide a new central maintenance complex facility that's equivalent in square footage to our current facility, plus a facility located at fiesta gardens. >> So this is supposed to be a maintenance facility. And yet the most of the space is an administrative building. Is that correct. >> Would let me pull up the

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>> Would let me pull up the square footage as to confirm that. >> Okay. >> Well, as I read it, the majority of the proposal is an administrative building. When we're supposed to be replacing a maintenance yard. We had a commission study from McKinney, York architects as part of this process that we went through. Did our that study conclude that our needs would be met with the same square footage that we have today? >> The McKinney study included not only current needs of the department, but also projected needs for the future. And it was a substantially larger facility that was conceived of in the McKinney report. >> If we believe that the proposal is actually adequate, why did it only receive five points out of a possible 30 in the evaluation process? >> That can't answer. I was not on the evaluation team. >> How often in your rough estimation do we approve bids in situations where we have a

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situations where we have a single respondent and they receive something like 37 out of a possible 100 points in their response? >> I don't know that offhand. How often we've we've had a situation like this. >> Would you describe that as a typical practice in our procurement describe is it's typical in an rfp process for there to be an extensive negotiation towards a final agreement. >> We do have a different solicitation process called an invitation for bids, where if we if we know exactly what we want and we're not willing to negotiate, we lay those parameters out. And that's what the bid needs to meet. But in rfp, by its very nature, is intended to be a negotiating process. Yes. >> Thank you. And I'm sorry, Mr. Benigno, that you get to be the one who has to answer all these questions. I know you were not the one deeply involved in the in the, negotiations, but it's my understanding that the McKinney study estimated we needed about \$120 million, and then there was a public works department estimate that also landed at about the same amount. How does that compare to what

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How does that compare to what Oracle is offering in terms of how much money they're going to spend on on this maintenance yard? >> Yeah, we had that conversation in recently with director Mcneely. Our understanding is that the McKinney report was for \$74 million facility. So but regardless whether it was 74 or 120, the cmc, the proposal that's before council is for a replacement cmc at 23.5 million, right. >> And I stand corrected. I do believe that the McKinney one said 74 million, but then public works was asked to relook at it and I believe that was where the 120 came from. But regardless, we're looking at a 23.5 million and they're building it, which it should cost less than us. But don't think that that's the same , difference there. No I think the McKinney report was substantially larger facility. >> Again, not only intended to meet current needs of the department, but future needs of the department. So it was a more expensive facility. It was also a substantially larger facility.

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a substantially larger facility. But that's not what's being offered by the proposer. >> There may be some additions, but when I read it, it wasn't that much more dependent on which part you were. You were costing out from that, I do. >> Somebody handed me the square footage. The proposal is for 19,900ft S of administrative office space 69,000ft S of storage and trade workshops and 3000ft S of other site elements which is the summation of the current facilities at fiesta gardens and the current cmc site . >> Yeah, and the enclosed work areas though is 11,000ft S of that. Most of that is open storage at 43,000. Are you able to tell us with confidence that what Oracle is providing, which you describe as comparable to the square footage we have today, is actually adequate to meet our current needs and the needs we can foresee in the near future.

[2:04:55 PM]

future. >> I'm going to defer that question to director Mcnealy. >> So kymberley Mcnealy, serving as the parks and recreation director of the parks and recreation department, concedes that this is a square footage that is comparable to what is existing right now. And we know that there are needs that are beyond that. However, we also have multiple other facilities throughout the city that we are prepared to utilize more efficiently and effectively to be able to continue to meet the needs of our workforce and with the expectation Ann that we would be able to design something for the cmc, the new cmc that could allow for a future expansion Ann to completely meet the needs at the city's expense at a later date. >> And who would bear those expenses of expanding leader? >> The expansion later would be a city expense and that would likely have to be by bonds. It would likely have to be by

[2:05:57 PM]

would likely have to be by bonds. And if we didn't have this deal in front of us, the whole facility would have to be by bonds. >> So I'm I just want to remind folks that the author of who kickstarted this whole process, one of my colleagues said on the record at the time that he did not feel comfortable going to the taxpayers and asking them for a bond election in for a maintenance yard. And that was why he proposed this process originally. So I just I'm really uncomfortable that we went to the voters and said we were getting this provided we made this swap, for that, you know, that's just, just a problem. The other thing that I want to point out through this whole process, there have been multiple appraisals. That's also not standard practice to try to get to the same place we are getting some substantially less than how much Oracle just spent for two and a half acres next door was

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and a half acres next door was 43.5 million. And that is more than all of the things that we're getting cost. So I just don't think this is a good deal for us. The value of the land is still there. Whether or not we do this deal. I think it's that's, that's a problem. You know, I'm disappointed and, you know, you know, the report says that the current needs are 25,000 square footage and we're really far from that. I'm sorry to get in deep into the weeds, colleagues, but I just, you know, we got the exhibit a on Tuesday, and I'm trying to make sense of it. And I just really think this leaves the taxpayers and the burden of providing the maintenance yard that was promised to us. I don't think that the voters thought they were getting, you know, exactly word for word the exact square footage I have. I don't even know that we're getting that. This is not waterfront property. I don't think we're getting the

[2:08:00 PM]

I don't think we're getting the highest and best use. This was appraised at a 60 foot height for the cmc. There are just too many things here and I'm not going to be able to support this. And I'm really disappointed, that we are where we are. I know there's concern about negotiate and execute. I'd like to see if we can provide the direction in part three without changing the negotiate or execute to, to encourage some additional discussion with the city manager and Oracle during the next stages of the negotiation. So so if I might make a walking motion, I would like to move to amend part two to add new paragraph four that reads as part three on my amendment without stopping the negotiate and execute. >> Please state that again. >> So as I understood the concerns, the concerns were if that we didn't allow for execute that we would not be able to

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that we would not be able to move forward with the deal and what I'm proposing is instead of saying just negotiate to move forward by adding direction to the city manager to follow part three of my direction, which is a, you know, a additional paragraph four that the new facilities should be designed to incorporate more all of the recommendations of the concept site and floor plans included in the McKinney York architect study dated as an in all of the rest of that paragraph. So that when you are negotiating the design that you're referring back to that study and let you have a process that is going to better meet the needs since you said that, you know my paper, I've lost. Councilmember vela just to clarify a council member alter basically, it would be see, on the prior, in other words, removing a and B from the

[2:10:01 PM]

words, removing a and B from the prior amendment and then just adding the language, the direction in, in C, yeah. >> Okay. >> Thank you. >> For the record, I'm going to read I'm going to accept the chair accepts that as an additional motion to amend and I'll seek a second just a second. But I want to make sure that we have for the record, since we typically require that things be in writing and this is in writing, but if I look at if I look at the motion sheet item number 21, what it would say is I move to amend part two of the ordinance to and we would delete the one and the two and the word and, and so and add the number three. Or he has something that says C on it. He had an earlier version, the one but the one you've handed out says add new paragraph four that reads as follows colon quote, the new facility will also be designed

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facility will also be designed to incorporate more or all of the recommendations of the concept site and floor plan, as included in the McKinney York architect study dated February 1st, 2023, that was

commissioned by the city with particular attention to including separated workspaces for the various trades provide for shade and necessary irrigation systems and ensure the city has the ability to expand the facility in the future, including utility sized and set to accommodate that expansion in the final design should be more closely, should more closely reflect the needs assessment developed in the study and be a collaborative, iterative process. Period. Close quotes is there a second to the motion to amend? It's seconded by council member Fuentes. Members. The vote. Is there any further discussion on the motion to amend? Councilmember pool?

[2:12:05 PM]

to amend? Councilmember pool? >> So I'd like to a couple of things, but specific on this new amendment, I'd like to ask Mr. Van van eenoo if the elements as read into the record and as you know, we're on the initial motion, what impact this would have on the work that staff will go forth and do in the next protracted period toward negotiate and execute? >> Sure. And just as a reminder, this is something staff has been negotiating now for nearly two years. This has been a very extended, protracted negotiation. Ann to a degree, this item requires us to get more than what we've currently negotiate dated, but it is undefined and just wanted to be very candid with it. It says more or all mean more could potentially be just one thing more, which might be something we can negotiate

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be something we can negotiate with the offerer. So that, you know, again, we've been negotiating this for a very long time and the ability for us at this point to negotiate more, of course, we'll take direction from the body and do that. But it may not be possible. And so this would require us to get something more than what we currently have. >> And is it true that when the staff negotiates, you do you exert every professional effort in order to achieve the greatest community benefit back to the city? >> That's absolutely true. >> Would this negotiation be any different or has it been any different? No >> We've negotiated this very hard on the city staff side. >> That's my understanding as well. And mayor, I did want to ask specifically and maybe Mr. Benigno can answer this, the elements that were included in the ballot proposition that has been mentioned by my esteemed colleague here as not being met,

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colleague here as not being met, or that somehow the voters think that they voted for something different than what was on the ballot. The elements of that ballot. And the I can't remember what the outcome, but it was a pretty big winning margin at at the polls for this is the work that is happening with staff's negotiation meeting the demands of the ballot language. >> It is and to answer your question, it was 73 passed with 73% support from the voters. It required at least 48 acres of waterfront land

contiguous to an existing park. That box is checked by the 50 acre parcel that's being offered to the city . The cost or construction of a of a new maintenance facility. And again, the facility that would be constructed is large, larger than the facility that's currently in our central maintenance facility. It would replace that facility and a the one at fiesta gardens. And then

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one at fiesta gardens. And then finally, partial or full funding for removal of the existing maintenance facility at fiesta gardens. And the proposal provides \$1 million for that towards that and as I recall, because I worked on this proposition in the community, the fiesta gardens piece, if you could explain a little bit more, because there's been a couple of years since this ballot item was proposed and passed at the expectation was that fiesta gardens would have more activated public space because we will be removing some of the old dilapidated maintenance facilities from that site and moved over to this other site. >> Is that correct? >> That's correct. Fiesta gardens is a very nice park right up on the on the lake. But right up on the lake, we have maintenance facilities. We park vehicles there. And so we would really like to remove all that from that site. And then restore it to public uses, which this

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it to public uses, which this proposal would allow us to do once the new is built. >> And so just to wrap this up, our hope is that we can successfully conclude these negotiations burns and have a successful execution of this agreement with Oracle so that the city of Austin can Ann and all of the citizens and residents here can benefit based on what was proposed on the ballot. Back two plus years ago. So that we actually we receive the expected Ed civic assets that were offered. >> That's the intent of staff's recommendation. >> Mayor, I really appreciate that all of the work that the staff has been doing the last couple of years on this, on this issue, I support the original staff's recommend motion. I I will not be voting in support of this additional amendment. Thank you. Mr. Benigno thank you. >> Councilmember pool. It will be councilmember harper-madison,

[2:17:08 PM]

be councilmember harper-madison, then councilmember Kelly. >> I appreciate the recognition, but think councilmember Poole's questions answered. What was going to ask? >> Thank you, councilmember councilmember Kelly. >> Yes, thank you, mayor. You know, the staff. It's very clear to me our city staff, our professional city staff has worked very hard and very diligently to get us the best use of this this proposal that's before us. And I'm not able to support the amendment that our our colleague brought forward, but I will support moving this forward today. And I want to thank councilmember pool for her thoughtful questions that she had earlier. And just once again, thank you so

much, staff, for the work that you did over the last year to make this work. Thank you, councilmember. >> I'll call on I'm sorry, mayor pro tem and then councilmember Fuentes. >> I'm in agreement here with council members, pool and Kelly, this has been many, many years in the making. And I know that staff has been working on this very hard as as some of my

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very hard as as some of my colleagues have said. And I also generally have a concern when we get multiple years down the road and then it seems like we move the goalpost and then we wonder why some private entities have a hard time coming to the city and saying, we want to partner with you, we want to be a part of the public good that our community so desperately needs and so I just want to make sure, since this has passed, the it passed at the ballot, the voters said they wanted to do this city staff has worked very hard to make sure that this can pencil out. I know there's still some fine tuning that needs to be done. I just get very worried when people make it all the way. All the way down the line. And then council says we're going to change what the metrics are. We're going to change what the goal is. And so I want to make sure that we're staying in line with the original intent with it. And I think that this proposal gets us there. >> Thank you, mayor pro tem. I'll call on councilmember Allison alter to close what she indicated she had already. She she was done. >> I'll ask one question. Okay. Okay thank you. Staff with the

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Okay thank you. Staff with the proposed motion before council that asks for this direction to be added regarding the way I interpret, councilmember Allison tirz amendment is seeking to get a better deal out of the continued negotiation options. That is, before the city and Oracle. Is there any consequential impact that we should be considering if with this amendment? To me it seems like it's just saying we want a better deal than what is currently before us. >> I think it goes beyond saying we want. I think my interpretation is it requires us to get a better deal. And that's what I'm saying is I'm after two years of negotiations, I'm not sure that that would be achievable. Councilmember vela, can we ask the applicant or their representative to speak to the to the amendment? >> The proposed amendment, sure. >> Is that you, mister? Subtle. If you'll identify yourself for the record. >> Yeah, the amendment. This is

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>> Yeah, the amendment. This is it. >> Mayor. Members of the council. My name is Richard settle. I'm here on behalf of. Of Oracle on this. And let me. Was not provided a copy of the amendment prior to this. So let me take a quick peek at it. This is the same amendment that was offered earlier and voted down. I would tell you that I agree. I think with what was just represented this this requires the staff to

come back and renegotiate the deal that we've been at the table for two years. And I think that if this motion passed, it would make it very difficult to achieve a deal with this addition. >> Thank you, councilmember alter I'll recognize you to briefly close. >> Thank you. So, so I just want to say, I don't think that what

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to say, I don't think that what I'm talking about is goalposts that have moved. I'm referring back to an addendum to an rfp, which was issued by our own staff that had, you know, limits of what we needed and also specifications for storage, etcetera, to want to also remark on the fiesta gardens piece of this. That one scored seven out of 20 as well mean so again we have a deal yes but just because you have a deal doesn't mean that you have to take the deal and move forward. I think there is room to improve this deal for our workers sake, for their safety. And I understand. And that we don't try to put our workers in situations that are unsafe. But the facilities that we create and the amenities do have an impact on their working conditions that matter matter greatly. And I think that we are missing an opportunity here. You know, I think that this

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know, I think that this amendment would encourage making sure that we have the design elements that that we need to have in here as we move forward. There's a lot here that is left undefined and there's not a lot of clarity that that it it will be delivered in a way that I think meets the spirit of the proposition as we as we move forward. I'm disappointed with with where we're at today. You know, I think yes, we've been negotiating for two years, but if you know what we're offering is pretty much the same on our end. It's really a matter of what Oracle has been willing to come back with and to deliver for our community in exchange for property that's worth way more than what we're getting for it. >> Thank you, councilmember members. The vote is on the motion to amend its motion to amend number two to. We've had the discussion on that motion to

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the discussion on that motion to amend all those in favor of the motion to amend, please raise your hand. All those opposed, raise your hand and there being four eyes and six nays with councilmember Ryan alter. Absent the motion to amend fails. For the record, the four eyes were qadri Velasquez Allison alter and councilmember Fuentes that takes us back to the main motion on the main motion was made and seconded and then motions to amend have failed. So we're back to the main motion. Is there discussion on the main motion? Councilmember vela I just very much appreciate that. >>

Councilmember Allison alter always pushing for more and really looking at the documents and really digging into the details. And ultimately though,

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details. And ultimately though, I think this is a good deal for the city. The land will complement John Trevino park in it, the vista gardens will also be improved. The voters were supportive of this and so I will be supporting it and look forward to seeing the project move forward. Thank you. >> Councilmember. Any further discussion? I'll recognize councilmember pulls maker of the main motion to close councilmember pool and close that was a very well done. With that councilmember Allison alter will be shown voting no. Is there anyone else wishing to be shown voting no? Councilmember Fuentes councilmember qadri. The motion passes with those three being shown voting no and councilmember Ryan alter off the dais members. That will take us now to our zoning cases at and I will recognize staff. It's your birthday.

[2:25:31 PM]

It's your birthday. >> Miss Hardin, if you don't mind. >> Just for ease, could you please start with item. 117 and go back back up to item 90? >> Excuse me. >> Could you start with 117 and go back the other direction? I think that would make it easier to go backwards. >> You don't know. Don't >> Well, happy birthday to you anyway. I was trying to. I was trying to give you a gift that was not, you know, you try and try in this job. >> And mayor, can we pretty please ask the clerk to go back to the moment? Enjoy garden city. Excuse me. >> Yeah, please.

[2:26:31 PM]

>> Yeah, please. >> That might become a meme. Yeah. All right. Well, however you want to do it, we'll follow along. Okay >> In order of. Thank you, mayor. Council I'm joy harden with the planning department. Your zoning agenda begins with item 91 for 70077. This item is offered for consent. Item 91 is c-1. For 2022 0090. This item is being offered as a neighborhood postponement request to your January 18th, 20. >> Seriously hate to interrupt on 90. Is that on first reading? >> Oh, so this is a restrictive covenant restrictive covenants just have one reading. Yes huh. So it's just consent. No problem. So was saying 90 1c1 for 2022 0090. This item is being offered as a neighborhood postponement request to your January 18th, 2024 council meeting item number 92 is c1 four 2023 0045. This

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92 is c1 four 2023 0045. This one's being offered for consent on all three readings. Item 93 is NPR 2023 0029.01 with the request from council member Vella, this item is being offered for postpone it to your December 14th council meeting. The related rezoning is item 94 c1 for 2023 0063. Again this is offered for postponement to your December 14th council meeting by council member Vella. Item 95 is c1 for 77 138 asked the science being offered as a staff postponement request to your December 14th council meeting. Item 96 is c1 for 2023 0088. This item is being offered for consent on all three readings. Item 97 is c1 for 2023 0099. This item is being offered for consent on all three readings. Item 98 is 2023 0013.02. This item will be offered for discussion. The related rezoning

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discussion. The related rezoning is item 99 c1 for 2023 0064. Again, this item will be offered for discussion and I believe we do have a few. Speaker tirz to that item. Item 100 is c1 for H 2023 0085. This item is being offered for consent on all three readings. Item 101 is c1 for H 2023 0092. This item is being offered for consent on all three readings. Item 102 is 2022 0026.01. This is being offered for consent. Second and third readings. The related rezoning is item 103 c1 for 2022 0166. Again this item is being offered for consent. Second and third readings. Item 104 c1 for 2023 0077. This item is being offered for consent on all three readings and I do have a motion sheet with this item and it reads add the following prohibited uses to part two of the draft ordinance, and those

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the draft ordinance, and those prohibited uses are adult oriented businesses. Alternative financial services Bel Air bond services, custom manufacturing kennels, maintenance and service facilities, outdoor entertainment, outdoor sports and recreation service station gas and theater. And again, with that motion sheet, we can offer this item for consent on all three readings. Item 105 is c1 for 2023 0068. This item is being offered for consent on all three readings. Item 106 is c1 for 2023 008 for this item is being offered for consent on all three readings. Item 107 is c814 2014 Ann 0110. 02h. This is the colony park pud. This item is being offered for consent on all three readings. To include the amendments that have been passed out. And I do want to say with this item, along with Jonathan Tomko, who's the case manager and planning, we want to really

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and planning, we want to really thank economic development council member harper-madison and her office and the neighborhood representative. And I know there's other people, but really thank you for

getting this item across the line. And again, we're offering this for consent on all three readings with the amendments that have been passed out. Item. 108 is 2023 00180.03. This is being offered for consent on all three readings. The related rezoning is item 109 c1 for 2023 0065. We do have a speaker in opposition to this request. We also provided some light backup for the neighborhood. But again, we are offering this item for consent on all three readings. I don't want to see one for 2023 0038. This item is being offered for consent on all three readings. This site is the site just for reference adjacent to Bethany cemetery. And through

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Bethany cemetery. And through this rezoning process staff applicant cemetery representatives sue spears and others. Council member harper-madison and her office have all worked together and with those efforts, again, we can offer this item for consent on all three readings. Don't want 11 is 2022 0005.01. This item is being offered as an applicant postponement to your January 18th, 2024 council meeting. The related rezoning is item 112 c1 for 2022 0107. Again, this is an applicant postponement request to your January 18th, 2024 council meeting item 113 as. 2023 0030.018. This item is being offered as a staff postponement to your December 14th council meeting. Item. 114 ac81406010 6.03. This item was pulled for discussion and approved on

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discussion and approved on second reading at your November 2nd council meeting. We do have a few opposition speakers believe, but this item is being offered for consent. Third reading item 115 c1 for 2023 0032. This is a postponement request by council member Ryan alter to your January 18th, 2024 council meeting. The related case to this is the related case two 115 as done 116 c1 for 2022 0100. Again, this is a postponement request by council member Ryan alter to your January 18th, 2024 council meeting. An item 117 is c1 for H 2023 0079. This item is being offered for consent second and third readings and this concludes the reading of the zoning agenda. And of course this is at your discretion. Thank you. >> Thank you. On items number 98 and 99 on those. Those are pulled from the consent agenda and indicated they were

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and indicated they were discussion items at because of the staff recommendation. Yes. Council member qadri I'll recognize you. Yeah. >> You read my mind. I'm going to try not to cough during this. But mayor, I'd like to make a motion to add items 98 and 99 to the consent agenda. I'm aware of staff's concerns in the neighborhood is split, but think the uses are generally applicable for the area and the zoning doesn't preclude housing. The applicant has also worked with adjacent and nearby neighbors to mitigate

potential impacts and also is trying to provide some community benefits. >> Thank you. Councilmember. Is there a second to the motion? Mayor pro tem seconds, the motion, is there any discussion? Without objection, items number item numbers 98 and 99 will be considered as part of the consent agenda and that could be consent. >> Three as we're ready for all three readings, I was going to ask you that. >> You read my mind. Okay. Look at that. So members, let me read through this once again to

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read through this once again to make sure. Item 170 is consent on second and third readings. Item 116 is related to item 115. >> You cannot do that. >> It can be done. Now let's go back item number 90. Item number 90 is on consent. It requires only one reading item number 91 is a postponement. Item number 92 is consent. On all three readings, 93 and the related item number 94, it is a postponed item, 95 postponement. Item number six is consent on all three readings. Item number seven, all 97. All three readings. Item number 98 on all three readings. Item number 99 on all three readings, 100 all three readings 101. All three readings, 102 and 103. The related item is consent on second and third reading, item 104. All three readings, item 105 three 106 three 107 three. But I will note the amendment sheet that you have item 108 and

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sheet that you have item 108 and the related item 109. All three readings, item 110, all three readings. Item 111 and related item 112 postponement. Item 113 a postponed item 114 all three readings. Item 115 I'm sorry, you're right. The third reading. Thank you for that correction. 115 and 116 postponement at the request of council member alter January 18th and 117 on consent on second and third reading members, I'll entertain a motion on the consent agenda and when have a motion on the consent agenda, we will then open it up for public comment. Is there a motion to adopt? Council member harper-madison moves seconded by the mayor pro tem to adopt the consent agenda as read? Thank you miss harden, and I'll now turn to the city clerk to call on an individuals that wish to make comment on the consent agenda. >> Thank you, mayor. We'll turn to our remote speakers. Isaac Cohen speaking on items 98 and

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Cohen speaking on items 98 and 99. >> Hi, Isaac Cohen, district nine live in Bolden creek. I assume this is moot at this point because it's in the consent agenda. But last I checked, does not allow for residential use and the latest lawsuit makes sure that's still true. The applicant bought a residential lot in an interior neighborhood where families want to leave. Now we're going to get a hotel all of you ran on housing, not hotels. Hotels can't hire people because the people who work there can't live here. This is a lot for

families, not a lot on south Lamar. I think you've made the wrong choice, but you made the choice. You made. Thank you. >> Next speaker is Natalie Wilson speaking on items 98 and 99. >> I can y'all hear me? Yes. I'm

[2:37:42 PM]

>> I can y'all hear me? Yes. I'm not sure if I'm being heard, but my first time. But hello. My name is Natalie Wilson. I have some concerns that I would like to voice as a current resident of the Bolden creek neighborhood. I have lived in the neighborhood since 2010 and I have been a south Austin resident since 2003. I have a family with three kids that attend Becker elementary school down the street from the proposed applicant's property. We also, through the process of following the applicant's request, have recently become a member of the Bolden creek neighborhood association. I would like the city council to deny the applicant's request at this time because there needs to be more information and or guardrails on the proposed zoning change as it stands today . The reason I'm speaking against is not because I'm against mixed use development or zoning change per se, but I do believe there's not enough information supplied by the applicant to make an approval or a denial for this zoning request

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a denial for this zoning request at this time. Questions I have are has anyone seen a site plan? Is it customary to have access to a proposed site plan and or traffic study before a zoning change is approved? If the zoning change is granted, should there be a trips per day limitation for vehicular traffic attached to the zoning change to protect the neighborhood from potentially dangerous traffic situations until the site plan can be reviewed by staff? When the Bouldin creek neighborhood association requested postponement on the hearing before the October 10th planning commission meeting, it stemmed from a lack of information about what will be going on the site. It seems we are still lacking that important information and details that would affect the existing residential Terry blacks restaurant is currently on Barton springs road and there are many times that the traffic will back up into Barton springs road because of cars waiting to turn into the parking lot adjacent to the current restaurant. Thus causing much congestion to the flow of eastward traffic and sometimes vehicles pull out to go around the line of cars that leak into

[2:39:45 PM]

the line of cars that leak into Barton springs thoroughfare. The luckily Barton springs road. At this particular location is a five lane road with two lanes dedicated to eastbound traffic. Currently >> Speaker your time is up. >> Thank you. >> There are no more remote speakers, so we'll now move to in-person Ann speaker on items 98 and 99. Brett road. Please make your way to the podium and state your name

followed by Christie Taylor speaking on item 99. >> Mayor council members Brett Brodie here. Thank you for allowing me to speak today. My name is Brett Brodie. I'm the closest neighbor to the 700 Dawson case. I live directly south of the property and share a property line with it. And as the closest neighbor, I'd like to ask you to support the black family's request along with the conditional overlay provisions, the black family has worked with

[2:40:45 PM]

the black family has worked with me for several months to figure out a good compromise that both meets our needs and addresses concerns. And I believe the conditional overlay provisions before you today accomplish that with agreement on building setbacks, height setbacks, impervious and building cover levels, F.R. And Taylor list of allowable uses, which includes club lodge, hotel, motel and restaurant uses along with limitations on accessory uses. The ultimate goal here is to craft a zoning compromise that allows the black family to revitalize the site with club, hotel, motel, restaurant while putting some guardrails in place to ensure that it remains a neighborhood scale project. And I think this agreement helps us get there. With that in mind, I would ask that you honor this work by supporting the black family's request and the conditional overlay provisions. Thank you for your consideration. >> Thank you, sir. >> Christie Taylor for item 99,

[2:41:46 PM]

>> Christie Taylor for item 99, followed by Joe Paul Connolly on item 110. Please make your way to the podium. If your name has been called, please come forward. William bunch speaking on item 114. There are no other speakers at this time. >> Thank you, members. That concludes all the speakers on the zoning consent items, which includes all of the zoning items that are on the agenda. I'll entertain a motion to approve the consent agenda as it was read. Councilmember harper-madison, seconded by, I'll second, second by councilmember Vella. Unless work will worry. We did after I heard myself saying it. But joy Hardin's got me so messed up today. You know,. But it's good

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today. You know,. But it's good to. It's belt and suspenders. We've got multiple, multiple. You've heard the motion. Let me ask, is there anyone wishing now, after hearing public comment to pull an item off the consent agenda as it was read any yes. >> Councilmember Fuentes mayor, I just want to be shown voting no on an item I don't know. >> I'm headed that direction. Does anyone wishing to be shown abstaining from an item on the consent agenda as it was read by anyone wishing to be shown recusing themselves on the consent agenda? All right, I'll recognize you. Councilmember Fuentes, to show a no. >> Yes colleagues will be voting no on item 114. This is the height pud amendment. We had a really

good conversation at our last meeting regarding that. This would be the only development within the south central waterfront that is refusing to connect to our water reuse system and knowing how important it is for us to conserve as much water as

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conserve as much water as possible, especially as a growing city. To me, I, you know, I think it's unacceptable all and we'll be setting a dangerous precedent. So I will be voting no on this issue. >> Thank you, councilmember councilmember pool. I joined I joined my esteemed colleague in indicating a no on 114. >> And to reiterate a couple of points that I made when we talked about this, a couple of meetings ago. I think we this is an opportunity lost on this item. Austin water asked the pud as environmental superiority indicator to extend the reclaimed water connection, which will be a required amount of water forward in just a few months. And they declined. Eid and I would just reiterate that as we move forward as a city, we have got to decide where our priorities lie and how best to achieve them. Allowing projects to opt out in the future won't help us reach the goals that

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help us reach the goals that we've already set for ourselves. Thank you, mayor. >> Thank you, councilmember pool councilmember Allison alter. >> Thank you. I'm going a vote no on 114, along with my colleagues and think they've already said what needs to be said. >> Thank you. Anybody else wish councilmember harper-madison. >>. I am ashamed to admit that I don't know enough about this item and hearing the concerns from my colleagues who have been here in my absence and who may know more about this item. And given the district's my constituents commitment to the environment and sustainability, I'm going to abstain from this vote for item number 114. >> Councilmember mayor pro tem. I'm sorry, I was just going to comment on this one. >> I know this is a really tricky case and one that hasn't really come before us very commonly, but I worry that we're trying to trade you know, our hopes for better water quality

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hopes for better water quality work in exchange for parking requirements. And I'm just I'm concerned. You know, they're coming to us asking to not have to abide by the original parking requirements so that they can be better in line with our transit use policies. We'd like to get the better water usage as well. But I just worry that we could end up with neither of them if we don't sometimes take tough votes that don't get us exactly what we want, but are better than nothing. Thank you, mayor pro tem. >> Anybody else wishing to be shown voting no on any of the items on the consent agenda? And I'm going to say it again. Anybody wishing to abstain be shown, abstaining or recusing themselves is all right with that.

Councilmember Kelly, want to make sure because sometimes don't look up. I'm looking up and down the dais is there anything you wish to be shown? Voting? No. Abstaining or recusing yourself for once? >> Very rarely. I'm not voting now. >> Thank you very well. >> Happy birthday, joy. Yeah. All right. With that being said, without objection, the consent

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without objection, the consent agenda is adopted with councilmember Ryan alter being absent. Councilmember harper-madison abstaining on item 114 and councilmember Allison alter, councilmember pool and councilmember Fuentes being shown voting no on item 114. That completes the zoning agenda. Member yes. Councilmember harper-madison Ann I'm hoping that this is an opportunity for us to offer comments for the zoning consent agenda. Be a good time to do it because I wasn't going to say anything until I saw Mr. Cumberbatch come in and his colony park sustainable community purple yes. >> Was y'all know I was going to say something. Okay so. Well I'll start there. Here we are. We. And I mean, we, there was a lot of folks include Eid and a whole lot of them were folks just like Mr. Cumberbatch rocking that colony park, sustainable community, purple. Sergio see that you followed suit and your your own iteration of it. This city has amended a

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of it. This city has amended a planned unit development in less than one year. I would say it again, but I think y'all heard me the first time. Item number 107 started as a community request that evolved into an item. Our housing and planning committee recommended to the full council at and again in less than one year, our city staff executed on this item with incredible efficiency. Thank you again to our colleagues here on the dais and to our steamed city staffers, especially our interim city manager who's not here to hear me praise him Briseno. I assume you will take the praise on his behalf. Our interim city manager who plays such a strong emphasis on completing this very long overdue commitment in record time. I would like to thank martin Barrera, Christine Maguire of the economic development department, and the many, many others, including

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many, many others, including folks at planning and environmental review staff who made this happen. Expediently I hope that our resilient community members from colony park, some here today, others watching from afar, are a reminder that we want our communities to be involved and frankly to stay involved. Even when those long stretches of time can offer something along the way of discouragement. There's a politician whose name I won't repeat who said one time that all we have is hope. And I believe that. And I am so grateful that they continue to have that hope and continue to push and to fight and

stay involved. And so progress is a direct reflection. This progress is a direct reflection of their effort and a direct reflection of the vision of an Austin that truly works for all. Thank you to miss Barbara Scott. Thank you to the colony park neighborhood

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to the colony park neighborhood association. Thank you to the city's economic development department. Thank you to a generation of east austinites who advocated tirelessly for years that this moment could come today. But we're not done yet. This amendment is only one piece to the puzzle in northeast Austin. As those of you who had the opportunity to join a recent bus tour of colony park in lakeside, you know that there is much work to be done in this area and it's worth it. We are worth it. Austin is worth it. And you know, as the area that I get the opportunity to be the steward for east Austin is worth it. And collaboration with our partners at Travis county and the northeast planning district. A big shout out to commissioner Travillion and his team with the with Travis county neighbors and leaders who have worked so hard on this development plan and other local organizers. Burns colony park will see the economic development

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economic development opportunities, infrastructural improvements, essential services, renovations and quality public amenities become a reality around them. Passing item number 107 on all three readings is thrilling, and I look forward to my colleagues staying tuned in. Big things are coming our way in this part of town and we'll need your support if we're going to make it a reality. And because, as I know, my kids will watch because they know I was excited. Yes, I smiled too big and I talked too long and I did that funny thing I did with my eyes because I'm excited. You're welcome. Thank you, everybody. >> Well done. Thank you, councilmember. Anyone else wishing to speak on the consent agenda? All right. With that being said, members, there's no other business to come before the Austin city council at this regularly scheduled meeting. So with that objection, we are adjourned at 2:51 P.M, November 30th, 2023. Thank you all very much.