

# City Council Regular Meeting Transcript –4/13/2017

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[10:07:23 AM]

>>

Mayor Adler: Good morning, before we get started, begin with the invocation. Everyone please rise.

>> Mayor, members of the council, staff, and guests, let us play. Good and gracious god, we are grateful for a new day, the new gifts it offers, the new tasks with which it presents to us who call Austin, Texas home. We are grateful too, for each one here, especially those who sit at this table of governance our mayor and each member of this city council as well as the many who support their will who will engage and resource them in the course of this day as they take up the subjects of traffic lights and child care, office space and legal settlements, money management, environmental stewardship, affordable housing, drug enforcement, waste treatment, and citizen protection and so much more in each case impacting the lives and livelihoods of so many. Across the myriad areas of need and opportunity that find their place on the days agenda, may there be a coming together of minds, perspectives, wills, even these goals in ways that allow for the creative melding of these in the service of the public good. On a day on which many will commemorate the example of a teacher come from god who wrapped a towel around his waist and washed the feet of his followers, grant to each of us such a spirit of practical and compassionate service and self-giving so that by the day's end, this city we call home will be better for what has happened here.

[10:09:24 AM]

Amen.

>> Mayor Adler: Thank you. Now we're going to call the meeting to order. Today is April 13, 2017. It is 10:08. We're in the city council chambers here at city hall, 3:01 west second street, Austin, Texas. Council, we have some changes and corrections. The pulled items this morning on the consent agenda

are item 9, 10, and 19. We had to add 22 being pulled. But I can read in those changes. African-American resources commission Marian Connor by councilmember Flanagan who also nominates the standards commission Michael King and also mechanical plumbing and solar board, Bashir Hamad. And one more. We're approving the waiver residency requirement of section 2.1.21 of the city code for the service of Bashir Mohammed on the mechanical plumbing and solar board. There are nominees listed on here for the manager search committee. Of course those will be relevant if, in fact, we pass item number 22, which is a board and commission -- I'm sorry, which is item number 27. Why?

[10:11:25 AM]

Okay. So you're going to pull ahead number 22, I'm sorry, 27. Do you need item 22. Yes. That's the pull. So we're going to pull 22 and 27. You can't do them simultaneously? Okay. We'll do it that way. We're going to pull 9, 10, 19 and 22. I don't know if there's anything else to be pulled. We do have people to speak on the consent agenda.

>> Mayor?

>> Mayor Adler: Yes.

>> My nominee for the city manager's search advisory task force.

>> Mayor Adler: We pulled that. We can add that in second.

>> Okay, thank you.

>> Mayor Adler: Okay. Is Jive Keller here? Is Jan Daniels here? . Okay. Mr. Pena, do you want to speak on the consent agenda?

>> I do, mayor. 9, 15, 16, 17, and 18. 9 has been pulled.

>> Mayor, is 14 pulled?

>> Mayor Adler: 14 is not pulled.

>> Can I start with that. You mentioned 10 or is that exempt from -- item number 10.

>> Mayor Adler: 9 and 10 have been pulled. I had you signed up for 15, 16, 17, and 18.

>> Okay, and 14. 14 is the relocation assistance and authorizing the payment of relocation funds located at 1127 at 52nd street.

[10:13:29 AM]

I know we have an exception department. I know there's been complaints. I know we'll inspect the units for deficiencies and problematic issues. I was wondering why this did not occur quicker. I had a phone call last year about this property. Unfortunately, I was in the hospital again so I was not able to address it with you. But in the future, that's more pertinent and more efficient in listening to the complaints of the resident. I understand that the owner has been cited or will be cited. But that's not enough. Number 15 is the Austin community college increased funding for child care equality. Any increase for child care equality is a no-brainer. Child -- children -- child needs health care and they're not getting it. A lot of people in east Austin. A lot of children are not getting top care at the children's hospital. I've seen it. They say call the mayor. That's your job. You said number 16. Number 16 is just a increasing for the community network and Raul is the the executive director of the organization. Called the community action network. That's money well spent for the community. And again, mayor. Number 16?

>> Mayor Adler: 17 and 18.

>> 17. Okay, yes. 17 appropriating \$170,000 grant funds for the Austin shelter. Always supportive of women and especially children who are at risk. These children are at risk, mayor, council. They need this funding for actually appropriate needs, immediate needs. So this is an appropriate -- appropriate funding for the Austin children for women and children. I'll always support them. You said number 18, right? Number 18 has to do with increased mentoring is a no-brainer.

[10:15:30 AM]

Former teacher at ACC, Austin independent school district. And I taught also juniors in college. But mentoring is very important to get the kids back on track on education and the last item, mayor. And allow me to -- "Usa today," good article about homeless veterans in Austin, Texas. Coming to Austin because he said he knows for a fact that there are more than 5,000 homeless veterans in Austin, Texas, FYI. I like to work with you and your office on that if it would be okay.

>> Mayor Adler: That would be great. Thank you.

>> Thank you, sir.

>> Mayor Adler: Thank you. David king to speak on items 14 and 27. Andy young is on deck.

>> Thank you, mayor. Councilmembers. Mayor, did -- were items 24 and 25 pulled?

>> Mayor Adler: 14 should have also been pulled for speakers. We missed that. So -- so 27.

>> Mayor, where -- is 24 and 25 also pulled?

>> Mayor Adler: 24 and 25 have been pulled for speakers.

>> Thank you, thank you. So I'll speak to this item number 27 then.

>> Mayor Adler: Okay.

>> Mayor, thank you. And also, did you say 14 was pulled?

>> Mayor Adler: 14 was pulled.

>> Okay. So that item would be called up again later on.

>> Mayor Adler: Yes.

>> Thank you, may, you mayor pro tem and councilmembers. I'm David king. Speaking on item 27 regarding the city manager search advisory task force. I think it's important task force. Glad you're taking an initiative to make sure the community is involved in the process.

[10:17:31 AM]

I think you're suggesting that I believe this will happen. The task force, the membership reflecting the diversity of our community and I hope you will allow the task force to comply with the Texas open meetings laws and not allow lobbyists to be appointed to this important task force. Thank you very much for listening to my comments.

>> Mr. Mayor, excuse me, did you say 24 and 25 have been pulled?

>> Mayor Adler: Right. We have several things that are being pulled on the agenda that all the speakers are spending in favor of. So and that includes items 24, 25, and 26. So the items, Andy young is an item that's pulled, 26, yes, Ms. Kitchen?

>> Kitchen: If -- is there an necessity to pull them if we -- if the folks are all signed up for it and they pulled their name off.

>> They very quickly will do this. They'll take the consent agenda. We'll ask people if they did the full three minutes. Andy young will get called when we have item 26. The items pulled now are 9, 10, 14, 19, 22, 24, 25, and 26. Is there a motion to approve the consent agenda? Ms. Houston makes that motion. Is there a second? Mr. Casar, any discussion?

>> Casar: I would like to pull 2.

>> Mayor Adler: Item pull will be pulled.

>> Casar: I wanted to confirm I posed on the message board that item number 26 had a couple of suggested amendments.

[10:19:33 AM]

If I understand those are incorporated in the motion.

>> Mayor Adler: It will be but that item is pulled as well. We have to talk about it.

>> Casar: Okay, sounds good.

>> Mayor Adler: So 2, 9, 10, 14, 19, 22, 24, 25, and 26. Those in favor of the consent agenda, please raise your hand. Those opposed?

>> Mr. Mayor?

>> Mayor Adler: Yes?

>> I would like to be recorded

by -->> Mayor Adler: So noted. Thank you.

>> I would like 16, 18, 23, and 8.

>> Mayor Adler: Okay. Anything else? With that said, those in favor of the consent agenda, please raise your hand. Those opposed. Unanimous with everybody with councilmember Poole not voting. That takes care of the consent agenda. Let's now go to the items that have been pulled. Let's go through them, number 2, Mr. Casar? Did you have something quick on that?

>> Casar: I would move to pass number 2 amended by my motion sheet which is the same as what I passed out last week. Pass out by some councilmembers and some wanted more time to review this. Believe that you have. And the amended section essentially creates a determination for the hearings officer and they find someone unable to pay and that person is below 60% we do not impose that minimum mandatory of 250.

>> Mayor Adler: Any objection to that being added to item number 2? Hearing none, it's added. Mr. Casar moves the passage of item 2 as amended.

[10:21:36 AM]

Mayor pro tem seconds. Discussion? Those in favor, raise your hand. Those opposed. Unanimous on the dias with councilmember Poole gone. What about number 9? Was there a briefing from staff on this?

>> Thank you, members. Matthew, assistant attorney. I want to approve a settlement amount of \$250,000 in the city of Austin lawsuit. As discussed in executive session on April 4, this lawsuit is related to an automobile versus pedestrian incident that occurred on January 26, 2016. As a result of the accident, she suffered significant injuries. In exchange for the settlement, the city will obtain a full and final agreement that releases the city and city employees from claims that were or could have been asserted in the lawsuit. The law department recommends that you approve this payment of the settlement amount pursuant to these terms. Any questions?

>> Is there a motion to approve item 9? Councilmember Garza is our second in this. Councilmember Renteria? Any discussion? Those in favor of the proposed settlement, please raise your hand. Those opposed? Unanimous on the dias with Ms. Poole off. Thank you very much.

>> Thank you. Item 10, the strategic housing plan. As we said in work session, we're going to keep this open until 2:00 when we'll call up so other people can arrive. But we said we'll get people -- give people who arrived this morning the ability to talk if they wanted to do that.

[10:23:40 AM]

I'm going to come back to just public talking. I'm going to come back to that in a second. We have pulled item 14. Is that a pool for speakers? I think it was. Mr. Pena, you have signed up on this but you didn't have a full three minutes to speak on this issue. So if you want to speak further on item number 14, I would give you that opportunity if there was something else you wanted to say.

[ Indiscernible remark ]

>> Mayor Adler: Yes, sir. Mr. King, do you want to speak on item 14.

>> Mayor pro tem, councilmembers. I think it's important that we're doing this. I'm hopeful that this property, you know, doesn't end up being demolished and replaced with market rate housing. What we have done and we have to do this, we have to help these families. But I'm concerned that we're going to end up facilitating the demolition of affordable housing. Is there any way we can hold the property accountable for repairing this property and allowing the families to come back in? Low-income families, other families to come back in and remain in the neighborhood. I'm just very concerned about this. And I think this is really important that we use this as an opportunity to look down the road and see in other parts of our city where is this about to happen again? Which of our other properties are like this where the property owners are not taking care of them? They're becoming dilapidated, becoming unsafe. That's an excuse for go get some tenant relocation money and then clear out and we're going to clear out for market rate housing.

[10:25:50 AM]

They have a term for this in cities like Austin where this is occurring. It's called recolonization. Existing residents are pushed out and being recolonized by affluent high-income families. I'm not criticizing those families. I know that's part of the -- part of the system, part of the process that we're trying to deal with. I understand that. But we have to find different ways to see this. Otherwise, diversity of color, low income families from our central neighborhoods. Then our only tool seems to be let's provide density bonus housing and we have families pushed out of single family housing that they could afford and their only alternative is to come back and live in an apartment, a small apartment. And they do well that way. So I'm concerned about this. I appreciate this item. I know we had to do this. But we need to see where else is this about to happen. And figure out a way that we can hold those property owners accountable, now, to bring the properties into compliance and safe for the tenants. Thank you very much.

>> Mayor?

>> Mayor Adler: Someone want to move passage of 14? Mr. Kast sar?

>> Casar: I have some questions from legal.

>> Mayor Adler: Okay. Is legal here to answer a question on this? Can we had the \$600,000 that's my question?

[10:27:50 AM]

>> Assistant city attorney. The state law that requires us to fund the relocation does not authorize us to reimburse -- seek reimbursement under that statute.

>> Casar: May, you I would like to when they do settle that lien, \$800,000, some of that money goes back to the housing trust fund. Do we execute on that lean at this point. What happens?

>> It's subject to two orders that have generated civil penalties and the city is authorized under state law to do a collection action to recover those funds.

>> Mayor Adler: What happens to those funds if you collect them?

>> I'm not sure how we -- when we traditionally take -- to recover civil penalties, if it would follow that process. If the council wanted to direct those moneys, we could address that at that time.

>> Mayor Adler: Could Mr. Renteria make that motion?

>> Not under this particular action. But it's something we can look into to see if that money can go to the housing trust fund. We'll get back to you on that question.

>> Mayor Adler: Okay, mayor pro tem?

>> Tovo: I wanted to offer my support for councilmember Renteria's suggestion. I absolutely support spending the money today to relocate the tenants out of harm's way and using the affordable housing trust fund is a way do that quickly. That's also money that we set aside to build new housing or preserve existing affordable housing so when those funds, when we collect on those fines, I want to see that fund replenished.

[10:29:56 AM]

I agree with the comments that Mr. King made today and also that we have via e-mail about holding the property owners accountable and I want to thank our staff for doing so, for continuing to enforce our city code against property owners who are not maintaining healthy and sanitary conditions. It's absolutely the right thing to do to relocate those tenants at this point.

>> Mayor Adler: Mr. Casar has moved passage of this item to a second. Is there a second? Mr. Renteria seconds this. Further discussion. Mr. Casar.

>> Casar: I would like to echo the comments my colleagues have made. Clearly we need to invest in partnership with land lordz whose properties are getting older and see if we can rehabilitate them and keep affordable housing in the long term. I knocked on every one of these 15 doors. I remember my campaign told me not to because there were hardly any registered voters there. But I registered teenager, 18-year-olds at this very building. And it's one of our most economically integrated places in the city and 52nd street is a big part of that. I hope we hold the property owners accountable and bring the funds, not just from legal judgments, but also from our own budgets and bonds to copt to keep this area integrated. It's actually in one of our homestead preservation districts and as Mr. King asks the question of where are we seeing this happening? It's happening in this part of the city and we actually authorized some funding for rehabilitation at the timbers apartment just up the road off of Clayton lane. So this is an area that is seeing that little deterioration. One of my first questions is whether or not we could do rehab there. But our -- you know, I'm not a structural engineer or a professional and the fire marshal is unfortunately and it's deteriorated to the point where it's dangerous and potentially deadly for the folks to live there.

[10:32:06 AM]



I know some of my constituents in my area would like to stay. But it's our responsibility to make sure that people live in safe housing. I appreciate the law department's significant amount of work on this issue. How housing works, and the co-department's work. I have been since I was really trying to focus as much of our code department's efforts on these sorts of dangerous situations because it's unacceptable for us to have folks potentially get hurt in those dangerous situations and it's important for the code department and law departments to really hold folks accountable when they let the properties get to the level where folks are living in bad conditions. And I think unfortunately this is not the last case like this we'll see across our city and in particular in my district. So I appreciate this dias' continued help in that regard. Right across the street, an apartment complex just within the last couple of years flipped it provides perspective to the work that we do. And I appreciate the council and city's action to make sure that the cities aren't homeless or living in dangerous conditions.

>> Discussion? Yes. .

>> The state law doesn't require that we recover the expenses. Does the state law -- it allows us to this? But doesn't provide -- can you explain it a little more.

>> Texas property code requires the city to provide relocation advisory services and financial assistance for relocation when activities cause displacement, koez enforcement activities cause displacement.

[10:34:22 AM]

>> So it's a state law that's requiring us to do this at this point?

>> Correct. Does it specify the amount? I had someone calling the office asking about the appropriateness of the amount, not necessarily questioning the need for relocation. But I wanted to give you an opportunity to talk about that briefly.

>> State law does not set a minimum. It sets a maximum of the federal benefits so we would not be able to exceed federal benefits but we do not have a minimum.

>> Is the \$600,000, is it -- is it \$40,000 per unit or am I -- I'm sorry, I don't have it in front of me. Do you know?

>> We need real estate services to come.

>> The office of real estate. Yes, it was attached to it as backup. The total amount was \$40,000. Estimated Perez den shl tenant.

>> Troxclair: Is that the -- is that the maximum I guess allowed under -- the federal benefits -- does that equal to the amount of the federal benefit?

>> Similar to the programs that we used on the flood buyouts. It's the same calculation that we do. This one, we're using a 30-month calculation. The estimated rental assistance payment is \$2,500 for the benefit of moving as well. But the calculation the same as the buyouts where we find a comparable property, subtract the subject property rent. Multiply it by the payment. The federal law has a statutory of \$700,000. There's a resort where we can pay up and above to the maximum of what that calculation will be.

[10:36:31 AM]

>> Troxclair: Does the city cover the entire cost of the rent in the new place. I heard they were paying between \$400 and \$700. Do they continue to pay between \$400 and \$ 00 at the place they relocated.

>> It's a -- spend-to-get type of program. They would be made eligible. But if they found a property that they pay \$450, \$500. There may be a small amount of that difference that we would be able to extend to them and for them to be able to claim.

>> Troxclair: But they're going to be paying some amount of rent.

>> Correct.

>> Troxclair: Okay. Thank you.

>> Mayor Adler: Any further discussion on this item before we vote? Those in favor of item 14, raise your hands. Unanimous on the dias with Ms. Poole off.

>> Mayor? Mayor?

>> Mayor Adler: I'm having a hard time hearing. I don't know whether it's -- but I could hardly hear the councilmember Renteria and Ms. Troxclair either so -->> Mayor

Adler: Okay.>> Mayor Adler: Okay. Item 19, mayor pro tem, you pulled this one.

>> Tovo: Yes, I did, mayor, thank you. I passed out an amendment to strike the two automatic extension options. And thank you, my goodness, so many staff, thank you all for the memo explaining the kind of work that's gone on since 2012 when council directed kind of broader look on how we might use community banks and regional banks as well. That's helpful and useful information. In hopes that we might have different options in front of us next time, I would as I said strike those two amendment, automatic extensions but before doing so, I want to see if you have any impact that you anticipate having executed the 36-mile contract and striking the two automatic extensions.

[10:38:45 AM]

>> Mayor, that would not impact the contract at all and we would be okay with a 36-month contract.

>> Tovo: Super, thank you. I would like to move approval of

the -->> Mayor Adler: Item 19 with that amendment embedded in it.

>> Mayor Adler: Mayor pro tem moves item 19 with the amendment embedded in that. Councilmember alder seconds that. Any discussion? I'm going to support this as well as the shortening of the time. I also believe in the policy goal. I don't know what that path is having read that memo. But with that said, let's go ahead and vote. Those in favor, please raise your hand.

>> Mayor? Can I get clarification of those extensionse limb natded. Or are they on the table to come back at 36 months and request an extension?

>> Tovo: So I -- the amendment that I drafted just executes the 36-month contract. I don't think that that would prevent you from coming back and asking for those extensions but if you don't have a copy of it, why don't I share it with you quickly.

>> Mayor Adler: I read this condition against extending it only not providing authority now for the extension.

>> Thank you, we're good.

>> Tovo: Does that accomplish that?

>> Mayor Adler: Mr. Casar.

>> Casar: We also learned that it's not just that we have three years at the next five years. We have contracts with other major banks so there may be -- now that we're drawing attention to this issue and I would be interested in engaging on how we set up a policy on this.

[10:40:46 AM]

There may be other contracts upcoming on other institutions where we may have an opportunity to work with folks that align closer to their values and their needs.

>> Mayor Adler: And are local, yes.

>> Troxclair: Does not I guess authorizing the extensions right now, does that mean that if and when we do want to extend the contract that it will possibly be more?

>> No, the contract dollar amount would stay the same.

>> Troxclair: So --

>> A matter that after 36 months we either go back for another request for an rfi for -- from the banks or we come back to council and request an extension.

>> Troxclair: So if you request that extension, you anticipate it would be at the same amount that you're -- that is here on our agenda today?

>> Yes, it would.

>> Troxclair: I'm going to ask one more time. I saw the legal staff and I want to make sure that you don't view -- you don't feel like limiting this to 36 months means that we will potentially be at risk of costing -- costing the city more money?

>> Good morning, SHAWN Willett, purchasing. This was proposed as 36 months with the cost of each of the options included. The contract would be awarded that way but it would be contingent on if we were to come back to the council and receive that additional approval for one of the options but the pricing would be award in this amount.

>> Troxclair: Okay. And if it's appropriate. I mean, I'm fine with the amendment, especially since our staff is okay with it. But mayor pro tem tovo, can you explain the reasoning behind making the amendment?

>> Tovo: Sure. And I talked a little bit the last time when it was up on the agenda the first time.

[10:42:48 AM]

Back in 2012 when we had this contract, there was a discussion about whether there was an opportunity for the city to move to more regional -- to using more regional banks or potentially a local bank. And the staff have done a lot of work -- and so we were told at that time that there was not really sufficient -- they had already gone through an extensive process. There wasn't time to make a decision. So one of my colleague, councilmember Morrison brought forward one of the resolutions and contain in the backup that asked the staff do some work, some investigatory work and exploatory work about how we might be able to accomplish that. In the memo dated April 5, we talked a at-bat ways in which they responded to the memo and tried to use more local banks and develop partnerships with local and regional banks. That's one of the things I was thanking them for. They have taken the spirit of the interest of council as stated by the resolution and really tried to expand the city's partnerships with local and regional banks. I'm making the amendment because I'm still hopeful there might be additional work we can do and might be a policy discussion to have whether it is possible to use a regional bank, at least, or even a conglomeration of local banks or some other alternative for the city of Austin's major banking needs. Again, like the mayor after I read that memo, I wasn't sure what those options would look like. I

think it's worth providing the space for the city council in three years having that conversation. Not in three years, but for the city council to have that conversation so if there are opportunities that we avail ourselves of them and let them know what the path would be before the three-year contract is up.

>> Troxclair: So the main objection is the size -- the size of the business -- the size of the company that we're doing business with?

>> Tovo: Councilmember, this came as a concern for the community about some of the investments that the larger banks are making that they may not be in line necessarily with the community values as expressed by Austin residents.

[10:44:58 AM]

And that working and supporting a local bank or regional bank might -- might allow us to do business with -- with banks that are in line with our community vision.

>> Mayor Adler: Mr. Casar.

>> Casar: I would add how we invest our money in ways that costs to the making services, there's potential benefits if investments are either in the local community and it has a good positive impact for the city. So there's a potential for looking at how it is that we invest our money in banks that have a positive fiscal impact for the city separate from or likely important just as values driven investments. Because obviously there's questions related to foreclosures. Environmental issue, privatization of public resources, those sorts of questions. I think are separate and apart from the potential fiscal benefits to the city of making sure that the companies that we invest in or the services for the local community are responsible. Navigate or ensure that everything we do are in the process and squares up with state and federal.

>> Troxclair: Because the staff is okay with it and it doesn't cost money in the long run, I'm happy to support the item with the aem. I guess I'm not sure if this is going to be seen as some kind of a political vote and I'm not really clear on what that -- what that stance may be. I just don't want it to be taken that I'm making some kind of political stance that I'm not necessarily going to support the item 36 months on staff's recommendation.

[10:47:01 AM]

-- Recommendation.

>> Mayor Adler: Sorry. I called for the vote on item 19, and it passed. Unanimous on the dias with Ms. Poole absent. We'll now go to the next item. Which is item number 22. This is the no, ma'am neighs we have read into the record. The no, ma'am neighs that were added. Late. Earlier. By Mr. Flanagan. Councilmember altar.

-- Alder.

>> I would like to pull off of my appointee for another week.

>> Okay.

>> Mayor Adler: Is there a -- yes.

>> Troxclair: If this is possible to take this -- well, actually, I'm just waiting to hear back from the person I am going to appoint had a follow-up question and I got the answer for them and now I'm waiting to hear back confirmation. Is it possible we could take this up later today and I will be able to add them.

>> Mayor Adler: Yes. Let's hold off on item 22. That gets us to items that we have speakers on. Item number 25. We have 24 strategic housing plan. And then 25 -- I'm trying to figure out, council, if we should be taking votes on any of the latter two or if we should vote and wait on all three of them at the same time.

[10:49:09 AM]

We're not taking a vote on number 10 until after 2:00 P.M. As we said at work session. So we're going to give people a chance to talk now if they were here. But the vote on number 10 won't come up until after 2:00. So the question is, should we be voting on the -- the two items. We can certainly take speakers to speak on them. But should we wait until they're -- should we wait or go ahead and vote? Are they self-contained?

>> I think they're self-contained. Because they were -- they relate to what happens after -- unlike the other -- unlike 10 and the other changes we're considering on 10, those all impact what's within the housing plan right now. These other two are complementary and they have to do with what happens after and so I think they're distinct enough that we can go forward with them. I mean everybody that's speaking as in favor of those two, I think we should go ahead and do that. That will reduce some of the potential for confusion later.

>> Mayor Adler: Mayor pro tem?

>> Tovo: I agree with councilmember kitchen and I might add that since the speakers overlap for both of those two, we could do 26 first? The k-2 item and then the speakers and our police chief and others

could leave and then the next two items are both again to the overlapping speakers but I free they are independent.

>> Mayor Adler: Let's do it that way. 26, we'll do that one first. The k-2 downtown homelessness issue. We have speakers to speak on this. I move to approve, mayor pro tem seconds that. We have speakers that want to speak.

[10:51:10 AM]

Andy young? Joel Sullivan is on deck. It would look like everybody is in favor of this. Don't feel the need to take a full amount of time that we have allotted for all of the speakers. We certainly have that ability if you would like.

>> Mayor, mayor pro tem, and councilmembers. I'm an dei young and I'm a resident of universal hills district I speaking on item 26. Quick voir dire, my family came to Austin nearly 100 years ago when my great uncle was elected to the Texas legislature, then attorney general, eventually appointed chief justice of the supreme court of justice by governor pat Neff. My family is so proud of Austin and as always been active here. More importantly, I'm speaking to you as a former crime scene investigator to the Los Angeles police department, scientific investigation division. I have six service years there. I processed over 6,000 crime scenes, and my unit responded to over 200 crime scenes every 24 hours. That is only 15% of what the police officers actually responded to. I'm not comparing our wonderful city Austin to Los Angeles. But I'm here today to say please, don't make the same mistakes they did. Learn from their mistakes. The population of metro Austin has grown to under 2 million people and we're playing catchup with the infrastructure. We also need to pay catchup with the police department. We're short-handed with just over 1900 sworn police officers serving nearly 2 million people.

[10:53:12 AM]

A growing k-2 epidemic with over 6,000 incidents in the last five years, approximately 300 this year alone and the fifth year running one of the largest -- one of the fastest growing cities in the nation, we need to let the police department grow with the city. As all of us, APD wants to be a proactive part of the city, not just reactive. They will need more officers to do this. So I'm asking us to please allow them to hire more officers. I know, budgets and taxes. But I have seen firsthand what not having enough police officers on the streets can do to a city and we do not want that to happen here in Austin. Thank you for your time.

>> Mayor Adler: Thank you. The -- next speaker. Joe Sullivan? Is Travis Wesley here? David Roche is on deck.

>> Thank you, mayor, council. I'm Travis Wesley, I'm a native austinite, I live in district 5. I'm also the president of class, citizen-led Austin safety partnership. On behalf of the class, we fully support the resolution to bring the city manager to identify resources to combat the k-2 crisis. The city council in the past has asked for several studies and those studies recommended to fill the police department to fully staffed. We support that. Without filling these positions, we're opening ousts up to more crime downtown. And then spilling out into our neighborhoods. If we don't combat this issue going on right now, I -- I think it's going to get worse and worse if they don't combat it now.

[10:55:18 AM]

So thank you for your time. I appreciate it. And have a great afternoon.

>> Mayor Adler: Thank you.

>> Kitchen: Mr. Mayor.

>> Mayor Adler: Yes, Ms. Kitchen.

>> Kitchen: I'm interested in talking to you further about it. If you get a chance, contact my office.

>> Yes, ma'am.

>> Kitchen: Thank you.

>> Yes, ma'am. Thank you.

>> Mayor Adler: Translator is here. Six minutes?

>> Thank you, I'm not going to take that much time. Thank you, mayor, mayor protell. I'm David Roche, president of the greater Austin crime commission. We support the wisdom with which you're attacking this problem. We thank you. We believe you're on the right track. We do believe we need more officers. Past the point to the fact that we need more officers on the street. As we attack this problem downtown, we hope that you won't be pulling officers from outside the neighboring areas and the suburbs. I think if you do decide to hire more officers for this problem, you're going to get closer to your 35% goal for your -- for the mayor's council on institutional racism. You're going to get closer to the 35% goal on commune the I policing that Dr. Rich o'brady spoke to. We fully support what you're doing. Thank you.

>> Mayor Adler: Thank you. Those are all of the speakers we have. Anyone else signed up to speak? All right?



>> I'm Gus Pena. Served with the director of the IRS, the bailiff at criminal district courts. I will tell you this much, I see K2 incidents daily. I use a bus because I can't drive right now to use my -- my surgeries, but Eighth and Lavaca is one of the most serious areas.

[10:57:22 AM]

Our proposal was to move the Salvation Army and the arch to Leavensworth Loop. Unfortunately, I have a dog that saved my life from a rattlesnake. So I will say I understand about the animal pet shelter over there. That would have been the best place because it had a clinic, it had a theater, it had lodging and everything. So we missed out on a good opportunity to move these ends there to -- not to push the people out there, because they're human beings, and I love them. But I will tell you this much, K2 is an increase. I talk to several officers over there. And I've identified several when I go to case manage at the Salvation Army veterans service. It is on the increase. This is an epidemic, worse than alcoholism, worse than any other vicious, vicious drug or alcohol -- or beverage that I have seen and it needs to be addressed holistically. Not being addressed holistically, it's piecemeal. We have to get rid of it. It's over there. Once you go over there, mayor, put on your blue jeans or whatever and go see what I have. This is the combat. This is combat. Combat to save the lives of people and I had one individual to get the bus on Eighth and Lavaca. I had to dodge him. He brought him around. APD was there. I appreciate APD. We need more officers. I spoke to the public safety commission also. We need more officers. Boots on the ground, bubba. We don't need them in the offices. We need them out there to patrol. That will be great too. I hope they don't get angry with me. But we need people to do the holistic approach. It's a serious issue. An epidemic. But we need more help out there for safety personnel, for their community, and for the people already using the K2 and they're abusing it bigtime, mayor. I hope you listen to what's going on.

[10:59:23 AM]

I'm more than happy to walk with you over there and show you where it's at. A lot of my veterans are on K2, I send them to clinics and the VA hospital. Thank you for allowing me to ramble. It is an epidemic. We need more boots on the ground, we need more police officers. They're doing a great job. Thank you.

>> Mayor Adler: Thank you. I want to thank the mayor pro tem for the work that she's done with the homeless community general as well as councilmember Houston. The leadership on this issue. Because I think it's -- it's such a priority in the community. I want to thank the public safety folks and they're working on this as well as other departments that are working together. The K-2 situation is the crisis with a number of people that's impacting. These are some of the most vulnerable in our population and

ultimately we get judged on how we -- how we serve. I'm proud for doing this. Thank you for your leadership. Any further discussion on this item 26? Been moved and seconded.

>> Mayor I wanted to confirm. I put messages on the message board and want to make sure those are indeed a part of what we're moving now.

>> Mayor Adler: Any objection to adding what Mr. Casar has to this? I have none. It gives more to the public health aspect of this.

>> Casar: It is an issue that we have on this front. The sponsor's intent to make sure the enforcement resources that the city manager brings back the best practices, we're dealing with harm reduction, addiction treatment. Clearly this isn't an issue that can be solved through enforcement alone. We have to bring holistic and research approach to this serious challenge.

[11:01:26 AM]

That is what my amendments highlight.

>> Mayor Adler: Any objection to this being added? Ms. Troxclair.

>> Troxclair: Is this something passed out?

>> Mayor Adler: It was posted on the message board.

>> Casar: And I requested it be included on the sponsor's motion on consent, since we thought it wouldn't --

>> Mayor Adler: Two whereas clauses, it is simple.

>> Casar: I am happy to print it out. My understanding this was just going to be incorporated.

>> Mayor Adler: Let's print it out so people have a chance to see it.

>> Troxclair: I know I am not the only one on the dais that hasn't seen it.

>> Mayor Adler: Mayor pro tem.

>> Tovo: I wanted to know if it made it into the draft posted. There is a revised draft. There are a couple of whereases to make it clear what the Austin public health department is doing. It does not cover the same ground that councilmember Casar's do, and those don't look like they're posted in the final draft. I call your attention to the version online which includes new language from last week, but not the language that councilmember Casar will pass out.

>> Casar: We can print it out.

>> Tovo: Since I'm talking, I want to thank all of the city staff that are addressing what is a terrible epidemic in the community. Thank you to our public safety folks for the hard work they're doing every day and the success they've had just this week in identifying some of those who are responsible for selling this drug on the streets of our city. And thanks of course, to E.M.S. For dealing with the medical crises as they're arising and thanks to the medical department for being part of a solution and figuring out how to best address it and our partners in integral care and host teams and others that are participating in the solution here.

[11:03:35 AM]

>> Mayor Adler: Ok. We're going to hold on to that item until we can pass that out. That gets us then to strategic housing issue. Number 10. We have number 10, number 25, and number -- 24 and 25. We said we would give everybody a chance to speak this morning. We're going to do that.

>> Kitchen: I think we would take 24 and 25 next so we could go ahead and vote on those.

>> Mayor Adler: We were and we said we would take people here to speak on item 10. We wanted them to know we would call them this morning as well. Let's call up first item 24. Do you want to lay that out Ms. Kitchen, before I ask for speakers.

>> Kitchen: Yes, item 24 is the item we have to ask our staff to go ahead and develop -- it has a number of specific sections, but it is to develop a multiyear action plan to take whatever we end up doing with regard to the Austin strategic housing plan and put specifics to it. There are specifics related to that to see in an action plan, the details to see in an action plan, the fact we want to see collaboration amongst the different city departments including the creation of the interdepartmental action team, the information about drilling down on some of the goals that may be set in the housing plan, so we're looking at them more specifically related to corridors and centers. And this is the area, and I want to thank mayor pro tem tovo for bringing forward item 25, which is more specific, but the two are consistent with regard to using the housing preservation tool.

[11:05:40 AM]

There is also language about an atlas developing the staff to consider developing an atlas, which is basically a compendium of the information around the existing conditions. That will be helpful as we proceed with an action plan. And then finally, it -- it asks that the staff bring back to us the completion of these items as they're completed but no later than October 31. So we can expect to see, by the end of

October, more specifics on how we might move forward with some of these -- with any of these recommendations that we want to move forward with.

>> Mayor Adler: Mayor pro tem, do you want to lay out item 25? The same speakers so when I call them, they can speak to both.

>> Tovo: Yes, thank you. We had an opportunity to talk about it on Tuesday. This is something that grew out of the community advise -- the code next cag. I was looking at councilmember Houston to see if she would ask me to try to muddle through the acronym again.

[Chuckling] But Dr. Mueller at the university of Texas has helped develop a tool that could be of great use to us as we look to our corridors and work toward trying to preserve the affordable housing in those areas. This resolution directs our industry manager to work with the corridor housing preservation tool to really assess the current conditions that exist along our corridors to get a clear sense of what nonsubsidized affordable housing currently exists in those areas and to help us use that information to work to preserve it, including identifying resources that would help us either work with the property owners to preserve it or potentially provide that information to those who are managing the striekt -- strike fund.

[11:07:47 AM]

That is in substance, what this resolution does. It is looking closely at the corridors. You will notice in defining corridors, the information is in general. Not just those that were identified through imagine Austin plan but also those identified as part of the mobility bond planning and any others that develop a primary focus. But the priority in the beginning would be for those corridors who are part of the mobility bond program, and you know, part of the rationale there is sometimes when we put resources into improving roads and improving infrastructure along those roads, sometimes if we are not careful, it could have the unintentional consequence of incentivizing those developments and displacing those that live there. We want to be careful as we move forward and work toward preserving the affordable housing that we do have and working to keep people in their homes.

>> Mayor Adler: Ok. I'm going to go ahead and call the speakers now. And there is also considerable overlap for number 10. I will let people speak to the strategic housing plan, if they want to do that. The first speaker is Mr. Pena. It would be items 10, 24, 25.

>> Yes, sir. Thank you, Mr. Mayor. Mayor, I hate to do this to y'all, I go back to mayor Bruce Todd's administration. They mention affordable housing. My retort or response to that is affordable for whom? We had a vision back there in 1990, 92, 94, 95, about affordability, lack of affordability. What is different for you or me or us.

[11:09:51 AM]

I'm not disrespecting you. It is just a general statement. But anyway, what I would like to see is this, is we have adults in committees, whatever, studying -- this is a problem. It has been going on since Bruce Todd's administration. Here's a suggestion, Mr. Mayor, councilmembers, y'all speak to high school students. High school students are very, very informative, very, very smart. Let's get input from high school students, not only high school students and ACC students that need affordable housing and get the different definition of what affordability is and what the needs are. I heard a comment made about preserving housing for senior citizens. Well, Mr. Mayor, councilmembers, I'm a senior citizen. I don't see too much senior citizen housing out there. Ok? Us older veterans are to the point where we're losing a lot of veterans my age. And the military really is a hardship on everybody. It taxes you to the 110% -- I have the verbiage, I better not use what we use in the Marine Corps. It taxes you to do more than you can. So your physical fitness is not as good as it was when you are younger. We need affordable housing. I recommend we address this issue even at the high school level. I met principals that want to allow students to be made accommodation to speak to y'all in front of the council, but they're not able to make it because of scholastic issues. Send out fliers to the high schools. Get their input also. Because they're going to need affordable housing, also. Not just us. There is a lack of real, true-blue affordable houses. You ask anyone in the street is that affordable. \$1,200 a month apartment is not affordable. Anyway. I will keep it short.

[11:11:52 AM]

I was looking through item 10. Got a good article, success story about the veterans. I want to thank you. You have been at the forefront for helping homeless veterans get housing. Let's be honest. You know, there is a lot more homeless veterans out there. And this is a real good story coming out of item 10. Read it. I appreciate the hard work you do Mr. Mayor. Your leadership is topnotch. Thank you for working, get the students available included in this.

>> Mayor Adler: Thank you.

>> Thank you.

>> Mayor Adler: Is John Keller here? Stewart Hirsch? Mr. Hirsch, you can speak to 10, 24, and 25.

>> Mayor, members of the council, my name is Stewart Harry Hirsch and to paraphrase Johnny cash, my name is stew, and a live in district 2. Since your last council meeting, a man I respect reminded me of the words of ecclesiastes chapter 3:5. A time to cast away stones, a time to gather stones together. As citizens, we don't participate in your work sessions, as you well know, but today, you have an opportunity to do several things and then some more things next week that are all integrated. Today's

meeting and next week's meeting give us unique opportunity to gather the stones together instead of throwing them at each other. That's exactly what I hope you will do today. Items 10, 24, 25, if all adopted, will not only make affordability goals clearly part of imagine Austin, but will have -- we will have procedures for implementing them and we will preserve and create affordable housing along corridors where appropriate.

[11:13:59 AM]

Later today, items 34, 35, 36, and 38 will give you a chance to increase either market rate housing and or affordable housing, and you should be tracking on each of those items as you consider approving them. What would be the upside of approving them and what would be the downside of not. Next week, you have an opportunity to draft council agenda number 5 to give neighborhood housing and community development tools to be able to track building permits and C.O.S to see how good we are or aren't doing on an annual basis for the market rate housing and affordable housing we're trying to produce. Finally, you will have on your agenda next week, the opportunity hopefully not to just consider the 2015 uniform plumbing code we talked about last week, but also the residential provision, the plumbing provisions of the international residential code and international plumbing code, but the current posting language is so narrow you can't consider what you talked about last week, so I hope you fix it before Friday's posting. Proposed federal funding decisions and pending action by the Texas legislature may prohibit Austin from pursuing certain of housing affordability strategies that people suggested. Given that context. It is critical that all of us carefully consider every decision we make and every decision that is pending in the context of whether we're going to produce housing that is affordable or not. I moved here to a minimum wage job, \$1.90 an hour as a security guard at saint David's hospital in the 70s. We had an affordable housing crisis then for those of us earning minimum wage. That hasn't gone away. Take that into account what the middle class is facing as well. Please do the right thing, as spike Lee would say.

[11:16:00 AM]

Thank you very much.

>> Mayor Adler: Thank you. Jen Daniels. Jan Daniels, David king?

>> Thank you mayor, councilmembers, my name is David king, I'm speaking on item 10, 24, 25. Items 10, 24, 25. Regarding the strategic housing plan, I'm glad you're taking public input on it. I hope you will allow the zoning and planning commission to take public input and provide feedback to you before you formally adopt it as part of the imagine Austin comprehensive plan. Regarding item 24, the

implementation of the plan and interdisciplinary action team for the housing plan, I think this is important item that needs to be passed. I'm glad -- this shows you're serious about taking the plan and working the plan and implementing the plan. I think this is very important that this particular item be approved. What I would suggest is that we include -- that we include look back process to look back and see how effective our housing strategies have been. Like the density bonus programs and what goals do we have. For example, is a goal of the density bonus program to provide a variety of affordable housing? I'm talking about detached single-family housing or primarily a goal for apartments, affordable apartments? We need to have a metric that gives us input, information. And we need a goal that's clear. I think it is important that we have a goal that says we want to help low income families be able to live in detached single-family homes where they can own them. And gain wealth through that process. That's important and strategic. I think we need goals to see how many of those homes have we produced?

[11:18:00 AM]

How many do we want to produce? We should have that level of granularity. It seems like we're putting all our eggs in the basket of affordable apartments. And I'm concerned that what we're doing with what's going on, the redevelopment of our community, that we're losing the single-family detached housing that low-income families have today and replacing them with apartments. And I don't think that's equitable. So I think we need some metrics that talk about -- that gives us insights into the average amount of land occupied by low and middle income families versus high income families. The relative percentage of low-income families that live in single-family detached housing versus apartments. And I've told you before that they're consistently, the real estate industry shows that families of all income levels, of all colors by 75% or higher prefer to live in single-family detached housing, if they could afford it. I think our housing policy should be informed by that. We have metrics and goals that give us insights into that. And one other suggestion that I have is that we include the office of equity in item 25 and regarding the resolution of preserve affordable housing along the corridors. That is important for the office of equity to be -- equity to be involved in that as well. Both of those. Thank you very much.

>> Mayor Adler: Sorry. Is Brennan griffin here? Timothy bray on deck. You signed up for number 10, we're not voting on that until this afternoon. You can speak this afternoon or now, if you like. Either one.

>> Thank you, mayor. Mayor pro tem, councilmembers for the opportunity to speak. My name is Brennan griffin, I'm a native austinite, to borrow something Mr. Hirsch used to say, like most of us austinites, I rent.

[11:20:06 AM]

I think it is very important to put some real housing goals into imagine Austin. I think the strategic housing plan is a very good start. I wonder if the number is even high enough? Just taking into account regular population growth, not actually trying to move the needle on affordability as far as I can tell from the way they calculated the 135 total units. So I think that we should be looking carefully at that number, getting concrete goals on affordable housing, and on market rate as well really is important. I heard some comments in the prior public testimony, sort of about zoning capacity. I wanted to just relate that zoning capacity does not equal what actually gets built. So we need to be sure as we consider codenext that we're not sort of capping the capacity at additional 135 units we will think about what we will actually build as a result of the code next process. So that you for the opportunity to speak. Appreciate your service.

>> Mayor Adler: Thank you. Timothy bray.

>> Hello. I'm also a long time austinite. An austinite who rents. I'm here to testify in favor of adding more units to the strategic housing plan. 35,000 is not nearly enough. We need a plan that keeps things from getting worse, but need a plan to make things better. Austin is in an affordability and traffic crisis. We are losing and lost many long-standing low-income residents and even some middle class residents. What we're doing is not sustainable environmentally, fiscal, and not sustainable fiscally. People should be able to choose their neighborhood and not have it chosen but their socioeconomic status.

[11:22:17 AM]

Inclusion should be the number one priority when it comes to how much housing we allow to be built. Don't fall for the fallacy that the housing shortage isn't the cause of the crisis. When people are bidding on one house, that drives up the price. When landlords know tenants don't have good options, they can and do jack up rents. We're losing loss of old affordable units to renovation, prices are going up because you don't build housing in places people want to live. If you want to preserve old apartment complexes, you need new apartment complexes built in old places not just on top of where it is allowed now. Allow near more housing to be sure we're being inclusive. Most of the satellite cities where people are forced to drive. By predicting most of our growth will be outside of the city limits and planning for that and basing 135 units with that idea in mind, we're creating a self-fulfilling policy that will create environmentally destructive sprawl. By forcing people that want to live in the cities, to live in the suburbs, producing them to buy more car, produce more CO2 emission and more traffic. We should focus on making it easier for people to drive less often and drive shorter distances. Not making it easier to drive long distances. No one is saying single-family housing should go away entirely. We should allow more smaller houses on smaller lots. If you live in central Austin, you shouldn't limit who can limit in your neighborhood to people who can afford single-family houses. The solution needs to focus on



inclusion. Aiming to make things better, not just keeping from things from getting worse. We should not be welcoming people back into neighborhoods they were pushed out of.

>> Mayor Adler: Thank you.

[11:24:17 AM]

Those are all the speakers that we have. Do you want to make a motion to approve item 24?

>> Kitchen: Yes, I make a motion to approve item 24. I have what I think might be a real quick friendly amendment, if I might make that.

>> Mayor Adler: Let's get a second to it. I'm sorry, what? Ok. Second by Mr. Casar.

>> Kitchen: Ok. My friendly amendment is simply -- friendly addition, which I think should be acceptable to the councilmember Casar is in the language that we have about creating --

>> Mayor Adler: I'm confused.

>> Mayor Adler: This is 24. Your deal. Right, I wanted to add language to it. It is your deal.

>> Kitchen: I'm sorry. Not a friendly ma'am. I said it wrong.

>> Mayor Adler: You can make an amendment.

>> Kitchen: Sorry. I want to add two words, to be is resolved the interdevelopmental action team, I want to add equity office to the list of departments for the interdepartmental action team.

>> Mayor Adler: Ok, any objection to adding equity office? Hearing none, that's added.

>> Kitchen: Ok.

>> Mayor Adler: Any further discussion on this item 24. Ms. Garza?

>> Garza: I wanted to get clarification on when we're talking about corridors. I haven't seen any language that clarifies that. I also want to understand because this is also, you know, 25 is part of this, it may totally be separate but the first be it resolved talks about the preservation tool -- is that separate from the 75% goal? Is it something different? I want to make sure we're using -- in this one, they're called priority corridors.

[11:26:20 AM]

In the strategic plan, it is corridors. From imagine Austin in 24, it is just corridors. I want to make sure we're on the same page.

>> Tovo: Mayor, if I may address that question?

>> Mayor Adler: Yes.

>> Tovo: To be clear, my resolution is different from representative kitchens. We both ended up with a piece of the same idea but mine is strictly focused on corridors. With regard to the question. I have identified them as -- I used the term priority corridors intentionally to capture those identified in the mobility bond planning, those identified in imagine Austin and those that might surface later on. With regard to the -- mayor pro tem --

>> Garza: Can you define that in your resolution, that says priority corridors is this?

>> Tovo: Certainly, I would be open to language if you want to suggest that. I'm trying to figure out which of these paragraphs would be -- I mean, the corridor housing preservation tool currently focuses on only eight corridors, I can get you which corridors those are. There is overlap with some of ours. But I expect that it will continue to be developed as a tool. But in its initial concept, I think it can help us because they are corridors that are, you know, experiencing lots of pressures in terms of development and have a good deal of multifamily housing on them currently.

>> Garza: My concern is -- I'm the last one to get into the minutiae of things, people look back at the resolutions for historical reasons. I would say it is just a parenthetical that says, after that for priority corridors, open parentheses -- parentheses are right?

[11:28:23 AM]

Yeah. That explains what the eight corridors you mentioned are.

>> Tovo: Ok. Currently the first be it therefore resolve talks about using the preservation tool to assess certain numeric goals for the preservation housing throughout Austin, beginning with those that will receive funding through the 2016 mobility bond, so we already identified those. But it sounds like where we need to specify other corridors, other priority corridors would be somewhere parenthetically to identify which corridors are already -- that are part of that plan, is that -- councilmember kitchen.

>> Kitchen: I'm sorry. Say that again.

>> Tovo: Which part?

>> Kitchen: I was making the observation that procedurally we haven't made a motion to 25 yet. Should we talk about 25? Should we make that motion.

>> Mayor Adler: There --

>> Tovo: I'm happy -- if I understand councilmember Garza's point, and we will add them in parenthetically.

>> Mayor Adler: We could. There is the same question on 24. This corridor is used in that one. Is that also a concern.

>> Kitchen: It is defined in 24. Imagine Austin and Austin strategic mobility plan. That encompasses all definitions of corridors, 24 doesn't establish any priority. So it just says these corridors. So when you read the two of them together --

>> Mayor Adler: Where is that found?

>> Kitchen: That is on the third page. To prevent displacement in corridors refine the geographic goal. That section. It says in each corridor district as identified by imagine Austin and Austin strategic mobility plan.

[11:30:24 AM]

That definition in corridor is consistent with the mayor pro tem. Because the mayor pro tem's establishes priority.

>> Mayor Adler: I'm sorry. I don't see it.

>> Garza: Where are you referring to?

>> Mayor Adler: Where is it defined?

>> Kitchen: 24, page 3, second be it further resolved under item 1. You've got -- you have the revised version?

>> Garza: Apparently not.

>> Kitchen: Ok. That's what I did in response to the questions. I revised it to put in after corridor district, I put in as identified by imagine Austin and the Austin strategic mobility plan so the corridors were identified.

>> Garza: Ok. Thank you.

>> Kitchen: I think that answered your concerns.

>> Mayor Adler: That answers it in number 24.

>> Kitchen: Right.

>> Mayor Adler: Ms. Houston.

>> Houston: Is that a term that has already been used? Or is this a new term that we're.

>> Kitchen: That is my understanding that is the term that aligned -- that aligns with the Austin strategic mobility plan and imagine Austin. I'm open to the different term if there is concern about that. But I thought that aligned.

>> Houston: I have never seen that. I have never seen corridor districts in imagine Austin. I don't know about the mobility.

>> Kitchen: Mr. Spiller, am I using the right term? Should it say corridor instead of Robert dor district?

>> Robert spiller, Austin transportation department. I suspect what you were reading was strategic corridors or activity districts. That may be where the confusion is. The terms corridor districts doesn't ring a bell.

>> Kitchen: Ok. We can just change it to corridor.

>> I think that would be more appropriate.

[11:32:25 AM]

>> Kitchen: Ok.

>> Mayor Adler: So page 3, it would read what?

>> Kitchen: Instead of in each corridor district, it would say in each corridor.

>> Tovo: Mayor?

>> Mayor Adler: Hang on. I'm not finding it here. I see where you have identified -- related to corridors and centers.

>> Kitchen: The first word before the parentheses it says district.

>> Mayor Adler: In each corridor, you are striking the word "District".

>> Houston: In 1 and 2. It is also in 2. Refined goals.

>> Mayor Adler: The district would be stricken. Anyone have an objection to striking "District" in both places? Any questions? Mayor pro tem.

>> Tovo: Will goals are not within corridor, they're within a quarter mile of the corridor. I wonder if that is why you use the corridor district, because you are talking about the area in close proximity. Of corridor.

>> Kitchen: I don't think it matters. If people are more comfortable with corridor, I would use the term corridor.

>> Tovo: It is not a 75% goal for the corridor. I don't want to confuse the goal.

>> Mayor Adler: The problem is if I use the word district that has a word so many other places we use it.

>> Tovo: I understand the challenge.

>> Mayor Adler: Maybe we don't call it district, we call it area. Since it is in the corridor area, so that is the area of the corridor.

>> Kitchen: With all due respect to everyone. I think that we're over wordsmithing. We keep it as corridor, we're ok.

[11:34:27 AM]

We're not changing or creating a new goal. I'm sure the staff, when they read this they'll be able to work with that. So I think leaving out the term "District" takes care of the concern that councilmember Houston raised and I think that should take care of it.

>> Mayor Adler: Ok.

>> Kitchen: If it is ok with everyone, I would prefer to just do that.

>> Tovo: Ok. To the extent -- I guess here's where you having a piece of the one that I'm doing kind of -- I don't want it to change the meaning of my resolution, however. So I will have to think about whether it does that.

>> Mayor Adler: Ok. Maybe it would be your language. Is there objection. Councilmember kitchen made an amendment. Is there an objection to the amendment to strike the word district in 1 and 2? .

>> Tovo: Mayor, I need to ask a clarification. In 2, it reads refined goal in council -- council area, corridors, how does district get replaced in number 2?

>> Kitchen: Thank you for asking that question. It doesn't get changed there.

>> Houston: That's not.

>> Mayor Adler: The change is only to strike district in number 1. Any objection to that? You can. Ok? Without objection, that change is made. Continuing on the discussion of item 24. Mr. Casar.

>> Casar: So to address the issue we discussed at work session, councilmember Garza raised a concern about whether or not this could lead to arguments about less affordable housing in certain areas.

[11:36:35 AM]

So I move to amend the be it further resolved we were just amending to the words right before where we eliminated the word "District." It says to prevent displacement in corridors we refine the geographic door for nonmarket housing related to corridors and centers. I replace the words for the share of total units to for the minimum number of units in each corridor. The idea being -- the intention behind my amendment would be to not set out goals that would imply a cap, but rather goals that are seen as minimums. We had this conversation during work session. So I will remind.

>> Mayor Adler: Say it again. Where is it located? In the same be it resolved clause.

>> Casar: In number one, to prevent displace in corridors or find 75% goal for market housing, in corridors and centers. For the minimum number of units in each corridor.

>> Mayor Adler: Ok.

>> Casar: Rather than the share of total units.

>> Mayor Adler: So strike "Share of total units".

>> Casar: And replace with "For the minimum number of units".

>> Mayor Adler: The minimum number of. So we're doing strike -- we're striking "Share of the total" and putting in "The minimum number of"? Anybody have an objection to that? Councilmember alter?

>> Alter: I'm trying to understand what that means.

[11:38:36 AM]

We have a goal stated elsewhere, which we haven't voted on yet, which makes me uncomfortable, in this process and I will get to that in a second. I am trying to understand if we want to preserve and add, what does this mean for like what I'm counting?

>> Casar: Sure. The conversation that happened at work session was a concern that if we set up particular corridor targets, that those could be perceived as maximums. And I think the intention of councilmember kitchen and my intention as a cosponsor was not to say -- the example I used at work session is we should vote down this tax credit project on Cameron road because we need them on Kenig lane but rather set goals for minimums on each. To have money if we choose the lane than road, because we have fewer. But this tool cannot be utilized as an excuse to say, well we hit our goal on Cameron road.

>> Alter: I understand your concern. I share that we don't want it to be adding new additional affordable housing if we have an opportunity to do that. I'm not sure how it counts the existing housing stock in the geographic goal.

>> Casar: My understanding is that this is specifically about nonmarket, that is income restricted housing production. In this section.

>> Kitchen: This is all nonmarket.

>> Alter: Only applying to the nonmarket, but we have affordable housing that is marketplace housing that is being displaced which is the purpose of the tool in the first place.

>> Casar: And I think that it is getting -- we're getting in the overlap between 24 and 25 again.

[11:40:37 AM]

I think -- my -- I have great concern about both. And think we should have goals and minimums of what we try to do on each. My understanding of this very particular section was councilmember Garza said something I hadn't thought of. If we set a number, on Cameron, it is this, canig is this. On a place we have a number of income restricted housing, that we make sure any edifice now does not construe the cap. We don't want to create a cap, something that can be construed as a cap. Trying to clean that up.

>> Kitchen: This one -- I'm sorry. Can a go ahead.

>> Mayor Adler: See if you can help.

>> Kitchen: This provision is simply saying that we're picking up the goal in the housing plan and we're refining it by corridor. That is all this is saying. So if you have concerns about how the goal is you know -- how is the goal considered, how is it counted? Those are concerns for the housing plan. That is -- this is just really referring back to the housing plan, the goal that is in the housing plan. So it is not trying to change that goal. It is not trying to say how we count that goal. It is not putting those additional level of information. It is simply saying, let's take that goal and let's get more specific with it. That's what it's saying. It's not getting into the level of detail that you are asking. And again, remember, this is -- part of the implementation plan, it will come back to us in terms of the staff explaining, you know, how they're

proposing to proceed. So I'm just not sure that this is the place to get into the nitty-gritty of exactly how you're going to count up the 75% and all that because it is not intended to do that. And frankly, I'm not prepared to think through exactly and give that kind of direction to the staff.

[11:42:40 AM]

So ...

>> Alter: Yes, but I'm trying to understand what I am asked to vote on before we have a chance to vote on the strategic housing plan and understand -- we're talking here about using this tool, which is about preservation, I have concern that I know some of my colleagues -- most of my colleagues share with me, that we don't want to be simply incentivizing the removal of existing affordable housing by the choices we make. I'm not understanding here, by the changes we make, what we are -- what we're doing here. And I have to vote on this. And.

>> Mayor Adler: I understand.

>> Alter: If it is not clear to me, it is probably not clear to other people. I would like clarity before I'm asked to vote on this. I understand what you are saying. We haven't had the other discussion yet on 25 or on 10. So that makes it challenging.

>> Kitchen: I have a suggestion. I think this section is causing confusion that was unintended. I would like to strike this whole section from 24. We'll deal with this question as part of 25. Because they overlap. If that is acceptable to the mayor pro tem.

>> Mayor Adler: That would be fine. We can bring it as an amendment to mayor pro tem's later. If it proved to be appropriate.

>> Kitchen: Yeah, uh-huh.

>> Mayor Adler: If this is hanging us up, that is a good suggestion. Is there any suggestion to striking from this 24, number 1? And we'll deal with that issue when we deal with 25. Mr. Casar?

>> Casar: Let me explain why I thought this was an important section for this.

>> Kitchen: Ok.

>> Casar: We have a specifically, specifically income restricted nonmarket units, my understanding of this. Whatever it is we pass. Say we pass the strategic housing plan, it remains 60 thousand.

[11:44:42 AM]



. My understanding is to say ok of the 60,000 we will do some preservation and locking in of affordable units as we described you could lose the units if you don't find a way to use the housing preservation tool to find the units, dedicate city funds and lock that in. The question is of the 60 thousand will we do 2,000 on Ron road. We will set a goal on Cameron. And councilmember Garza's concern is if we hit 2000 on Cameron will we not approve a housing tax credit on Cameron road? That is why I'm clarifying that we are setting up minimum goals for the area, so if we end up, because Cameron road we have done hundreds and hundreds of units is my understanding. We wouldn't start setting up excuses for ourselves. That is why I see this as germane to the implementation of the strategic housing plan because my understanding of councilmember kitchen's idea instead of 60,000 everywhere, let's look more discreetly at particular areas.

>> Mayor Adler: Tell me if this gets there. To prevent displacement, define goals for housing, including subsidized housing, related to corridors and centers and then delete the next language and it goes to and draw on data. That I think gets us there.

>> Casar: Yeah.

>> Mayor Adler: I will read the amendment again. To prevent displacement in corridors refine geographic goals for nonmarket housing parentheses, including affordable housing, subsidized housing income restricted housing related to corridors and centers, comma.

[11:46:45 AM]

And we delete the words before the next comma. And so we're deleting for the share of total unions in each corridor district as

[mumbling] Mobility plan that should be affordable. Deleting that language. Continuing on with the balance and draw on data from the university of Texas corridor preservation tool. That get us there?

>> Kitchen: Ok.

>> Mayor Adler: Any objection to making that change? That change is now made. We're now back to debate on number 24.

>> Alter: I have what I think is a friendly amendment to the be it further resolved, that would be the first one. So I would like to add including mechanisms for monitoring and evaluating success. So I would like to see us being sure that we are monitoring and evaluating what we're accomplishing with respect to affordable housing and that should be reported back to us. I think there was a change made between work session and now that addressed that in the first be it resolved a little bit, but I wanted to make sure that was being reported back to us on that annual basis as well.

>> Kitchen: Where are you adding it.

>> Mayor Adler: Is this what you handed out?

>> Alter: This is what I handed out.

>> Mayor Adler: We're looking at now is a handout operated as councilmember alter, April 17.

>> Kitchen: That is fine. Any objection to including mechanisms for monitoring and monitoring success. Hearing none, that change is also incorporated. Any further discussion on item 24? Ms. Houston?

>> Houston: Thank you. To the maker of the motion. My question is at the bottom of the -- fourth be it resolved, number two, talks about incorporation of affordable housing and housing types, not currently in these areas.

[11:48:58 AM]

Do you include in that manufactured homes?

>> Kitchen: I think so. That is a question for our staff. I would consider -- I would consider a manufactured home as a housing type. But I don't -- I don't know that there is any reason not to.

>> City of Austin, assistant director neighborhood housing and community development. We would.

>> Houston: Thank you. I want to be clear about that. Because as we've heard, many of the folks who live in areas, that's probably the only type of housing they're going to be able to do. And if we exclude those or pre -- exclude those or preclude those in the land development code, they won't find a place to live.

>> We concur, and one thing we put forward during the need it is assessment, as to if our funding is applicable from a regulatory standpoint to help repair, we would certainly want to do what we can. And we do believe that that is absolutely a housing option and solution for many households.

>> Houston: Thank you.

>> Mayor Adler: Anything else? Mayor pro tem?

>> Tovo: We received a suggestion, maybe it went to all of us from a community member, that infrastructure that we might consider an amendment to infrastructure a parenthetical one that would say with specific attention to impervious cover and flooding conditions. And so I offer that to the sponsor of the resolution as an idea or perhaps it is just a matter of clarifying that the infrastructure that would be considered in that be it further resolved, I think the third one includes consideration for impervious cover and flooding conditions.

>> Kitchen: You are talking about the next to the last be it further resolved?

[11:51:02 AM]

>> Tovo: Yes. Sorry. That infrastructure -- the suggestion was that the city manager consider an atlas of existing and historical conditions on key issues to include but not be limited to housing conditions, infrastructure, transportation, et cetera. And that infrastructure include the additional language with specific attention to impervious cover and flooding conditions.

>> Kitchen: Yeah, that's fine.

>> Tovo: I offer that as a friendly --

>> Mayor Adler: Anything in the penultimate be it resolved. Second to last, to add with specific attention to flooding and --

>> Tovo: Impervious cover and flooding conditions, parenthetically.

>> Mayor Adler: Objections?

>> Kitchen: No.

>> Mayor Adler: That is also included as a further clarification of what infrastructure means. Any further discussion on 24? Councilmember alter.

>> Alter: I just -- I support this resolution. I'm uncomfortable with the idea we pass the resolution before we pass the strategic housing plan, number 10, procedurally, it just -- it seems like we're passing something that refers to something that hasn't been passed yet. And again, I support this ordinance, this resolution, but I would feel a lot more comfortable if we could keep it as amended somehow and pass it after we have our discussion of number 10. Procedurally it seems we're being asked to talk about how we implement something that we have not -- we don't know what all of the amendments are going to be. We don't know what we're going to be asked to be implementing. So I -- I -- we need clarity on the implementation and I agree wholeheartedly with the sentiments presented in this resolution. I think procedurally, it would be better to wait until after we have our discussion of number 10.

>> Kitchen: Mayor?

[11:53:03 AM]

I would rather go ahead and have a vote. I think it is appropriate to go ahead and have a vote. This is not changing the housing plan. So whatever we end up doing on the housing plan is fine. If we pass this, and for some reason we don't pass the housing plan. It is moot. I would rather go ahead and get it dealt with.

>> Mayor Adler: Ok. Any further discussion before we vote on this item? Ok. Those in favor of this item 24, please raise your hand. Those opposed? Ms. Houston voting no. Others voting aye, it passes with Ms. Pool off the dais. Mr. Renteria is also off the dais. Mayor pro tem moves the option of item 25. Is there a second. Ms. Kitchens seconds that. Mayor pro tem.

>> Tovo: In response to the question that was raised earlier, one way to accomplish that additional clarification, thanks for the suggestion. How will I tell you which whereas it is? It is the third whereas from the first be it resolved. The one that says whereas the corridor housing preservation tool provides data on how eight Austin corridors. Here, we can insert the corridors and I will read them. Burnett, crestview, Maynard, south campus, Riverside, south congress, south Lamar and south Austin. The areas. That language might need to be adjusted. Austin corridor areas. We'll say that. Corridor areas, it will include that list and continue on through that. Does that help councilmember Garza? And would it help to identify the mor mobility -- there is a correspondence with the mobility bond corridors, Burnett, mlk, Guadalupe, there is some correspondence, but not an absolute overlap between the two lists.

[11:55:13 AM]

>> Garza: Are the eight Austin corridors the priority corridors?

>> Alter: By priority, they would be within the priority corridors but not -- priority corridors I mean those, the any others that surface at the priorities maybe that doesn't get at the definition of "Priority".

>> Garza: Yeah.

>> Tovo: Maybe I need a few minutes to work on that. Maybe we can do the k2 issue.

>> Mayor Adler: We can do that and pick it up when we do 10. Because it is almost noon.

>> Tovo: If I can do it quickly.

>> Mayor Adler: There are a couple of things to take care of. We'll lay aside the item 25 and pick up item 26.

>> Renteria: Mayor?

>> Mayor Adler: Yes?

>> Renteria: I would like to be shown as in support of 24.

>> Mayor Adler: Support. Noted in the record.

>> Mayor Adler: Yor pro tem. On item number 26, sorry to do this to you, on item number 26, there were some whereas clauses that you had added about public health that made it into the revised number 26 which was posted. The amendments that Mr. Casar has made to item number 26 were amendments to the original draft of 26. Has them all. Okay. You fixed it.

[11:57:14 AM]

Okay. Mr. Casar moved to amend number 26, which was already laid out to include the language in red to the extent that it's not otherwise already included in 26. Is there any objection to that? Hearing none, it's included. Is there any further discussion on 26? Those in favor of 26, please raise your hand. Those opposed? It's everybody on the dais, with Ms. Pool not here. Are we ready to take up item number 22?

>> Mayor, if we're not, I may have a solution to 25 that I just want --

>> Mayor Adler: Hang on to that for one second. Does someone want to add Perla to the -- so, on 22, we would also be adding, for the city manager search advisory committee as made by councilmember Renteria, Perla. That would be an additional name. And we're going to postpone consideration of councilmember alter's nominee for which one? For the electric utility commission. Is there a motion to approve this? Ms. Troxclair.

>> Troxclair: I mean, unless there's a reason that you're taking it up now, if you could take it up this afternoon, that would be great.

>> Mayor Adler: That would be fine.

>> Troxclair: Thanks.

>> Mayor Adler: Okay. Then, mayor pro tem, on number 25?

>> So, my suggestion is that the only place where I've used priority is in the be it resolved. And we could simply take it out, because I think it's defined by the context of the resolution itself, which talks about the corridors which will now actually cite the corridor study areas that are already included in the corridor housing preservation tool.

[11:59:23 AM]

And it talks about the creation and preservation of affordable housing for corridors throughout Austin, beginning with those that receive funding through the mobility bond. If we take out priority, I believe that eliminates the confusion about which ones are priority corridors.

>> Mayor Adler: So you would be taking out which language?

>> Tovo: The word priority in my first be it resolved. And that is, I believe, the only place where the word "Priority" appeared.

>> Kitchen: Mr. Mayor, I think that language works, but just clarification. So, there is a difference between the eight that are in the preservation tool and the ten or nine or whatever it is that are in the mobility bond. So -- but I think -- so I just want to be clear that the intention is that beginning with those that are in the 2016 mobility bond, I think the language does that.

>> Tovo: Yeah. There is overlap on the list, but they're not identical between the corridor study areas that are within the corridor preservation tool and the corridors that were identified for funding in the mobility bond.

>> Kitchen: So the idea is to look at all of those that are in the mobility bond.

>> Tovo: Yes.

>> Kitchen: Okay.

>> Tovo: Beginning with those that are going to get funding in the bond.

>> Kitchen: Yeah. Okay. All right. Because slaughter and manchaca and the mobility bond, they're not in the preservation tool.

>> Mayor Adler: And there were others, as well. So the one historical piece that's not in the whereas clauses is the actual ordinance that set up the mobility bond deal that -- and the contract with the voters that talked about the corridor construction program, which said that in implementing it the staff needed to take a look at, after the initial things, preservation of existing affordable housing and local businesses on the corridor, opportunities for development and new affordable housing along the corridors, including but not limited to the use of community land trust, finance Zones, homestead preservation, targeted investments.

[12:01:46 PM]

So I see this as also implementing the promise that we made to voters as part of the contract with voters when we did the ordinance approving the mobility bond, which appears to be the only historical piece that's missing.

>> Tovo: It probably would be good to have a whereas about that. So I clearly can't accomplish that before 12:00 P.M., so why don't we draft that. I think that's a good suggestion. We'll draft that whereas and take it up again.

>> Mayor Adler: Okay. Yes.

>> Troxclair: My only concern was making it more specific. Taking priority out makes it less specific. There's so many corridors. But if everyone feels that this gives appropriate direction to staff, I'm fine with it. I guess practically speaking, we probably wouldn't have someone come and say you weren't supposed to use that tool for that corridor, so, yeah. I'm fine if staff thinks this is a good direction.

>> Mayor Adler: Okay. We'll pick that one back up after lunch. That gets us through everything that we can get through here this morning. So let's go to citizens communication.

>> Casar: Mayor.

>> Mayor Adler: Yes.

>> Casar: I didn't get a chance to comment on 26. I appreciate folks incorporating that amendment. And while I think we all recognize that kt use is a very serious issue, I appreciate us highlighting the fact that enforcement alone can't fix this. We can't arrest our way out of poverty or drug dependency, and these solutions are what we also expect our city staff to help us work on.

>> Mayor Adler: Let's go to citizens communication. We'll begin with Silvia Mendoza.

[12:03:52 PM]

>> It all started in 06 when I approached Mike Martinez about cell phone use. He blew me off. I waited five long years. He ran for mayor, so I decided that was the right opportunity for payback. Standing here, I said vote for Steve Adler, David, Todd. I said do not vote for Mike. Then I told Mike, this is payback. Previously the council had the bright idea to boycott Arizona because of their immigration stance. I hope they enjoyed the APD lab scandal and becoming a prop 15. They had to work to sneak it in. Now it's your turn. Thousands of dollars have been spent on research by the Texas department of transportation. I've got the answers right here. Truck drivers refuse to take the toll roads. Since you were brainwashed by Casar, y'all are in that traffic wasting time, indirectly losing years of your life. You are literally going to have a shorter lifespan because of time lost and because of pollution. This is the ultimate payback. I may decide to give the answers to the get city council, if they are not a bunch of traitors. You wouldn't believe the most common response. It was really weird in fact and weird. And I got it all on my CV. They're almost obsolete. I don't have to worry about someone stealing this, but there is always payback. Previously, I warned the others to let Acevedo go, after he wanted to leave. He department even stay a decade. I did my homework. Should've seen all the negativity coming from California. You may say, she

doesn't like art or Casar, and they are hispanic. I'm on a higher level. I'm for my country. You see, I'm playing chess while some of y'all are still playing checkers. I conducted a brief survey last night and asked police officers how they liked Brian.

[12:05:56 PM]

They said they loved him. Media has said officers are nicer now. That was not the case with art. People read between the lines. He was brought in because he spoke Spanish. All the attention was on art. He was too social, trying to win a popularity contest. Officers did not like that attention was on him, not the entire police department. We need Brian Manley. Make it happen when the city manager says so and it is up for a vote. He needs to become the next police chief. This is his stomping ground! I've still got time? I guess I'll repeat some of my stuff. Previously, the council had the bright idea to boycott Arizona because of their immigration stance. Boy, I hope they enjoyed the lab scandal and the killing of prop 15. We said vote yes for everything except prop 15. Vote no. That's how we did it.

[ Beeping ]

>> Mayor Adler: Thank you.

[ Clapping ]

>> Mayor Adler: The next speaker signed up I don't think is here, Toni teal. That gets us to Carlos Leon. Is Matt shickel here? Seeing that he's not, Mr. Leon is our last speaker.

>> Soy Carlos, and here I am in Austin Texas, April 13th, 2017, where I have lived continuously here in Austin for almost six years to speak what's right,

[ speaking Spanish ]. First and foremost, gracias a dios for discernment, document one on screen now. To legally defend myself against the city attorney's filed bogus pedestrian in roadway charge, March 31st, I requested police vehicle dashboard camera video recording.

[12:08:06 PM]

That's nonresponsive, basic information. Attorney general paxton's open records ruling 2016-10001 says must be released per the public information act, because previous determination may not be used to withhold it. Document two now. However, miss Renee Moore, admin administrative supervisor, APD central records tried gaslighting me by saying and doing the exact opposite in her April 3, 2017 letter to me. Willfully withholding it by blatantly disobeying Texas law and paxton's ruling, which she claimed to have relied upon in writing. Therefore, miss Moore is allegedly guilty of official misconduct by



intentionally impairing the availability of requested public information per Texas code of criminal procedure 3.04 and Texas penal code 37.10. That's a state jail felony, because that loss harms me by disadvantaging me at trial. Camera on me, now. Her abusive lying, criminal, psychopathic behavior is not acceptable in any public servant position, especially one with so much power over our lives. How many other austinites has she done this to? Therefore, there can be no public trust in or support of APD employing miss Moore as custodian in charge of police records. That's bad for APD, but ugly for Austin, which city council cannot allow.

[12:10:09 PM]

Therefore, do addition by subtraction. Fire public servant Renee Moore asap. The evidence is right in front of you right now. And it's on public record for this meeting. Drain the swamp right here in Austin.

[ Beeping ]

>> In Jesus' name I pray, amen. Thank you, lord. God bless Texas and the united States of America.

[ Clapping ]

>> Mayor Adler: Those were all the citizen communications that we have. We have three items that we can take up before 2:00, one of which we will not. We have the strategic housing plan. We're going to call that at 2:00, as we told people we would. But if we wanted to come back a little bit before 2:00, we could handle the boards and commission item, if possible, and we could also finish with 25. So I would suggest that we come back at 1:30 or 1:45. 1:30, does that look okay? All right. We have no executive session items, so we'll just convene back here at 1:30. We're in recess. It is 12:11.

[1:54:57 PM]

>> Mayor Adler: All right, council. We about ready? Council? All right. It is 1:54 P.M. We have a quorum. We are back from recess. There were two items still to be called up. We are still -- we're not yet going to move forward to number 22. We'll handle that later in the day. Let's look at number 25. Mayor pro tem, are we ready to move on that one?

>> Tovo: Mayor, I have distributed an additional whereas. Thank you for that suggestion. I really like when our resolutions capture kind of the historical past so thanks for bringing that up.

>> Mayor Adler: Is there any objection to including the whereas clause that mentions the mobility bond resolution? Hearing none, that's incorporated into item number 25.

>> Tovo: Great. And I think I already did this, but with your permission, I'd like to just read aloud the corridors that were studied, the corridor areas that were studied within the corridor tool. But I should clarify something that may not have been clear. The corridor tool can be used to analyze any corridors. And so it is a tool that's flexible and can -- and can be used to analyze any of the corridors in the mobility bond that aren't overlapping with the work they've already done, and again, thanks to Dr. Mueller not just for developing the tool, but also really drafting and shaping and providing great feedback on this resolution. So the corridors that would be inserted parenthetically after the line 8, 8 Austin corridor areas, will be Burnet, Crestview, Manor, North Campus, Riverside, South Congress, South Lamar, and West Austin.

[1:57:02 PM]

And I'll give that language to the clerk.

>> Mayor Adler: Okay. Any objection to including this specific mention of those eight corridors that have already been applied to the tool?

>> Kitchen: Mr. Mayor? I have no objection, I just want to reiterate the understanding we had earlier, that in the bill it resolved, we're talking about the priority being all the corridors that are included in the mobility bond. I don't think that language was changed so I'm just reiterating that intention for our staff.

>> Mayor Adler: Okay. I see this just as identifying what those eight were, that have already been studied.

>> Kitchen: Yeah. I'm just trying to avoid any confusion. I'm just restating the intent. I think it's fine.

>> Tovo: Just to be clear, the language still says beginning with those corridors that will receive funding through the 2016 mobility fund so that language stands.

>> Mayor Adler: Okay. Any other changes or amendments to this item number 25? Okay. I think you made the motion on this earlier, so I think we laid them out. Those in favor of item number 25, raise your hand. Those opposed? It's everyone, but Ms. Troxclair voting no. Ms. Troxclair voting no, with councilmember Casar and Ms. Pool off the dais. So that passes. We timed this brilliantly because if we had finished just a moment earlier, we would have to go in recess, but since it is now 2 o'clock, we don't need to. So at 2 o'clock, let's go through the zoning agenda. Are there items that you can -- do we have anything other than Austin Oaks?

[1:59:04 PM]

So 29-33 were taken care of in executive session and are not going. That gets us to items 34 and 35. Go ahead.

>> Good afternoon, mayor and council, I'm Greg Guernsey with the planning and zoning department. I'll go through the 2 o'clock zoning items. First, items where hearings have been closed, then proceeding with the ones where hearings have been open. The first item that I can offer for consent approval is item number 34. This is for consent approval in all three readings. I want to note for council's information that just before the meeting, Alice Glasco, who is the agent for the owner let meco holdings, LLC, David corks cox, has presented me a private districted covenant that has been executed but not yet recorded that speaks to that the rental units on the property, 5% of the units will be at 60% mfi for 40 years and 5% of the units for rental will be at 80% for 40 years. This is a private covenant. It was mentioned at the previous meeting. If the ordinance is approved by council today, they will execute it. And they'll present a copy to the city for our file. So I wanted to make sure you're aware of that. Item number 35, this is for consent approval on second and third readings. Item number 36 is the oaks. Mayor, I know you had speakers. And action will take place after the dinner break, as said earlier. Item number 37 is for consent approval on first reading only.

>> Mayor Adler: Hold on, did you do 35?

[2:01:05 PM]

>> Yes, mayor. 35 is consent on second and third reading.

>> Mayor Adler: Okay. 36 is pulled.

>> 36 is discussion.

>> Mayor Adler: Yes.

>> 37 is consent for first reading only. And item number 38, we have an applicant request for postponement in may 4th. And that's item number 38.

>> Mayor Adler: 38 to may 4.

>> Correct.

>> Mayor Adler: Okay.

>> Mayor, I'm sorry. I didn't get 34. What happened on 34?

>> Mayor Adler: Consent, all three readings. Is that correct?

>> That's correct. And as I mentioned, there was a private restrictive covenant. The owners agreed to do certain affordable housing for a period of up to 40 years, 5% at 60 and 5% at 60%. I have an executed copy of that covenant that would not be recorded.

>> Mayor Adler: Okay.

>> That's not had anything to do with us.

>> Mayor Adler: A motion to approve 34 --

>> 34 was approving it on third reading, not on all three readings.

>> It's for third reading.

>> Mayor Adler: Third reading, sorry. That's right.

>> Kitchen: I'm sorry, what was 37?

>> Mayor Adler: On first reading.

>> Kitchen: Consent.

>> Mayor Adler: Consent. The four consent items are 34, 35, 37, and 38. Is there a motion to approve those? Mr. Renteria moves. Is there a second to the consent? Ms. Gaza. Garza. Ms. Houston.

>> Houston: On 34, you talked about the private restrictive covenant. And the length.

[2:03:05 PM]

Did you say anything about the bedrooms in those units?

>> Mayor Adler: Would you pull the microphone to you?

>> It's me now.

[ Laughing ]

>> Houston: Do you want me to repeat that?

>> No, councilmember. There does not appear to be any language to that effect in the private covenant. We're not a party to this covenant, either.

>> Houston: Right. So, should I call up the applicant agent to ask about the bedrooms? Where there's two bedrooms for family friendly, or whether it's just all single bedrooms? For singles? Don't know.

>> I don't know if you want to call them up or not.

>> Houston: Mayor, may I call up the agent to ask about family friendly units?

>> Good afternoon, councilmember. Mayor and councilmembers. Alice Glasgow, representing the applicant. At the second reading, the applicant had indicated that they didn't want to be tied down to percentages. We're still committed to looking at that. As to which mix that will entail. But it's not written in the covenant.

>> Houston: So there's no way that you can ballpark whether we will have family friendly units in the development until you get to the site plan?

>> Yeah, the development will have one and two-bedroom units.

[2:05:06 PM]

That's the intent. It's not intended to be all just one-bedroom units, but as far as the percentages of what's going to be allocated to the affordable unit housing percentages, we don't have that determined.

>> Houston: I'm looking for a commitment that in the affordable unit range, there will be some two-bedroom units. That's what I'm asking.

>> I don't have that in the document. It's not in the restrictive covenant.

>> Houston: Thank you.

>> Mayor Adler: Okay. Motion is to approve -- yes, mayor pro tem.

>> Tovo: Ms. Glasgow, just as an additional question since we're talking about this, does your restrictive covenant have a clause that the affordable units will match the percentage of the breakdown of the market-rate units?

>> It does not. There were two cases the council approved. The first one that was acceptable to the applicant. And last time, council, the applicant was not willing to volunteer that at this time. And I think councilmember -- the mayor asked councilmember Renteria about a motion and that item was dropped at your second reading discussion.

>> Tovo: Thanks.

>> Mayor Adler: Okay. Those in favor of the consent agenda, please raise your hand. Those opposed. Ms. Houston votes no, the others voting aye, councilmember pool off the dais. Takes care of those items. The other set at 4:00. That gets us, then, to -- on item number 36, which is Austin oaks. Is there

anyone here that's signed up for this that would like to speak now as opposed to speaking this evening, would you come on up.

[2:07:25 PM]

>> And you have copies -- I'm Joyce. I'm a board member of the northwest Austin civic association and I'm speaking on behalf of the board today.

>> Mayor Adler: Is Alice here? She's donated time, you have six minutes.

>> Thank you. Mayor and councilmembers, thank, thank you for the opportunity to speak to you about the Austin oaks case. I'd like to focus my comments today on one word -- respect. First, thank you for the respect to our community, respecting our right to speak and providing us time in the afternoon as well as evening so we can handle or -- our existing commitments. We respect the hours you have spent on this. We agree with councilmember Garza that it's no longer necessary to repeat our concerns. Thus, I expect to be the only one who is testifying today. We also respect the right of those who oppose the P.U.D. To have their say, and we hope they will keep their comments brief, too. It's time to bring this case to a decision. Second, we thank John and Michael for their respect for the neighborhood, agreeing to and participating, and for the many hours of work since. Our zoning committee brought forward dozens of issues, questions, and requests for changes to ensure that the wishes of the neighborhood were accommodated in the P.U.D. Submission. That input was received with respect, and the items were resolved amicably. Third, we thank the city council AIDS who work closely with us on this case, always with respect for the needs of neighbors. Louisa partnered with us, and we really appreciate their help. This year, Kurt has also been an excellent partner to us. Fourth, we thank the staff from a wide range of city departments, planning and zoning, parks and recreation, watershed protection, neighborhood housing, and others, who met with us, answered our questions with respect, and helped us get to a good P.U.D. Ordinance, one that protects our neighborhood interests and binds the current and future owners to building a development that's consistent with the Charette design.

[2:09:35 PM]

Out of respect to our neighbors and noaca members, last night we considered carefully the current state of the P.U.D. Ordinance, given the changes during second reading, and we approve the following resolution. Whereas on April 12th, 2017, the northwest Austin civic association, naca, board of directors met and considered this for the Austin oaks property as amended on second reading, whereas the application received lengthy debate, resulting in the adoption of multiple changes, which is resulted in a significant departure in the new property design from the original Charette, which the in board

previously resolved to support, whereas these changes would have a negative effect on the quality, benefits, and compromised reached during the Charette process, whereas these changes include but are not limited to the addition of a new building with 175 residential units, removal of the hotel, addition of parking garages, loss of additional trees, and additional height on mopac and other areas, therefore, be it resolved by the northwest Austin civic association, noaca board of directors, that the board voted to and does oppose the rezoning application c18-2014-029 as amended upon second reading by the Austin city council. We ask that as much as possible in your final deliberations today that you respect the outcome of the Charette in the final version of the Austin oaks P.U.D. Ordinance that you create. Again, thank you, and may you have an early evening finish today.

>> Mayor Adler: Thank you very much. I think there will be some action today that will address some of the issues that you've raised, I would imagine not all of them. But I know that everyone invested a lot of time in the guidance to us and I want you to know that we're very appreciative of that.

[2:11:44 PM]

>> Thank you, sir.

>> Mayor Adler: Anything else? Thank you. Ma'am.

>> Good afternoon, council and mayor. My name is Madeline. I'm with the northwest Austin neighbors group. Is front and back, so it would be twice as big if it was wasting trees -- every letter that has been written by citizens in district 10 and district 7 who have opposed the P.U.D. And while we have all been participants in the Charette process and we do respect everyone's right to speak, we also have our right to speak, too. And we have worked tirelessly to put together a valid petition. It was invalidated today. We put in more names again today. We're at 19.84%, missing .16% for a valid petition because of an easement in the road at spicewood springs that coordinating the 1989 ruling of our attorney general calls that to be city property, so it's not calculated in the metric. With that strip of land removed, we're at 22%, which is a valid petition. And we do reserve our right to pursue that later, but we don't want to do that. We implore you to look at the citizens, again, twice that size if you consider each letter, not front and back on that stack, who have written in, noaca's membership voted 80% against this P.U.D. While we respect the board's authority to vote for it, we implore you to listen to the citizens of the city you represent and vote no on this P.U.D. And I won't take any more of your time. I thank you for your service. I know you're in a hard spot and you have to listen to all of us come up here and we appreciate that. And I hope y'all have a great day. And please vote no.

>> Mayor Adler: Thank you.

>> Mayor.

>> Mayor Adler: Yes.

>> Thank you for your testimony. I just want to clarify what I just heard was that noaca does not support what passed on second reading.

[2:13:46 PM]

So they are not currently supporting what is in the ordinance. So there is actually, currently, agreement among the neighbors not to support.

>> Yes.

>> The P.U.D. As it came out of second reading. And I would just like to say to both speakers that one of the problems that we have with the P.U.D. Process is the way that it creates a dynamic that's very negative to our communities. And I look forward to working with all of the neighbors in district 10 to move beyond that and reform the P.U.D. Process.

>> Absolutely. Thank you very much.

>> Mayor Adler: Anything else? Thank you very much. Any other speakers that are signed up wish to speak now? Jose, Margo, David king, Ramona? Speaking now instead of this evening. You can either speak now or this evening.

>> I'm donating my time.

>> Mayor Adler: Okay. And what is your name, please?

>> [ Off mic ]

>> Mayor Adler: Okay. Ramona, thank you. Is Brandt parsons here? Okay. You have six minutes, then.

>> I've got a powerpoint to load up. Good afternoon. My name is Jose Hernandez. I'm a resident of green trails subdivision, one of the petition signers. I've been in Austin since 1971, when I graduated from Texas A&M university. And I'm a registered professional engineer. I've been working with txdot for 28 years, retired from there. I've got my own consulting company. I have 47 years of design, construction, and maintenance of streets and highways. And even though I have a powerpoint, I've got to tell you that the thing that hits me the most is the traffic, the amount of traffic that's going to be put on our neighborhood streets.

[2:15:53 PM]



Not on mopac, or spicewood, but our neighborhood streets. Nothing has been done about that. There are no mitigation activities for our neighborhood streets. You know, heart lane is a rollercoaster up and down. They probably cut it with a bulldozer following the guy going down, that's how it was done, no engineering design, no safety considerations, nothing. You can see it right here on these slides, starting on the left, that car is going down the hill, disappears, goes up. And at the very top is green trails. And in between is hidden hollow and stone cliff drive. These people have to get out of there every day, come in and come out every day. Here is the cars coming up to green trails subdivision. That's our entrance. You come up there and you have to take your life into your own hands when you start turning left. And now with four or five times more traffic, this is going to be a real problem. You can see how they're going down north to spicewood springs road. That's an intersection you can see in the far part of the picture. It's executive drive and the intersection of heart lane and spicewood springs road. There's a lot of kids that walk to school. They ride their bikes. It's a big deal over there. The people in apartments, they walk there. And so what are we doing about all this stuff? To me, the first thing is safety. Safety of not only the people in their cars, but also the pedestrians and neighborhood people. We have to focus on that. And we have not done that. We should have a traffic study to focus on what we can do to keep most of that traffic or make it safe on our neighborhood streets. This is the intersection of spicewood springs road and heart. If you can see, they're going to put a traffic light.

[2:17:55 PM]

How can you put a traffic light with all these spaghetthis coming in at different angles? You can't do it. Usually if you have a 90-degree angle it's easier to put a traffic light. You can't do it here. Here is let's see if I can get this thing going. It's supposed to be a video. But . . . Go back? Okay. That's at heart lane, and that's going towards --

>> Going to the left, it's going to 360. And to the right it's going to mopac. Did you see that left turn onto heart lane? Now, here these cars are coming right here, going to mopac. Now, there's somebody trying to turn left. Now, you've got to wait until somebody gives you a shot, and then you have to worry about the people on heart going left in front of you. So it's kind of, like, crazy. See. He's still waiting there. So, I'm looking at exhibit a, where it was supposed to fix this. There's no traffic lights for a left turn to turn left from hart to spicewood springs road. The traffic signals for hart going to the right and turning left, you can't see them because they're placed at a different angle. You can't put them where they need to be because of the geometrics of that intersection. So basically -- and I think I sent you an email. Each one of you has one of these charts that I sent you. Basically, you know, you've got these problems. You're going to have to buy more right of way, redesign the intersection, reconstruct it, and then put the signal lights. How much is it going to cost? Nobody knows. And by the way, the last thing is, this is coming out of our subdivision. That building right there that you see, that light-colored building, that's going to go away.

[2:19:57 PM]

That's where the park is. Is five stories and a parking garage that's seven levels. There's nothing you can do to hide that. That's facing our neighborhood. So, what have we got to do, why do we have to have stuff like that? Why can't we have less? Anyway, thank you so much. Appreciate your time.

>> Mayor Adler: Patty Edelman also donated time to you if you need any more time.

>> I'm good.

>> Mayor Adler: Okay. Thank you. Anyone else wishing to speak now instead of this evening? Okay. Then we will put this matter aside. That brings up for us item number 22. Let's handle that one, because I think we can at this point. We've already read in names that were added. I'm going to read in four more. These are all nominations or appointments to the city manager search advisory task force. Councilmember Renteria nominates Perla cabasos. Councilmember pool nominates Walter Mewes, councilmember Flannigan nominates Shana, and councilmember troxclair nominates Bobby. Those are all the additional names. Is there a second -- is there a motion to approve this item number 22? Councilmember Garza. Is there a second to this? Ms. Troxclair. Any discussion? Those in favor please raise your hands. Those opposed? It's unanimous with everybody on the dais and Ms. Pool off. That takes care of item number 22.

[2:22:03 PM]

>> Mayor Adler: Okay. I think that gets us to the strategic housing plan.

>> I just wanted to clarify, we'll be taking off the notes, after the dinner hour, assuming we're done with any prior business before then?

>> Mayor Adler: That is correct. We will retake up Austin oaks after dinner, subject to anything else that also is still pending. Okay?

>> Mayor Adler: Item number 10 is the strategic housing plan.

>> Mayor Adler: We have some witnesses that are here to speak on this, other than the ones that already spoke this morning. I'll go ahead and call them now. Frank Harren. Is Mr. Harren here? And Jay Crosley is on deck. There's a buzz in the . . .

>> It's feedback.

>> Mayor Adler: Feedback. Yes.

>> Council, good afternoon. I want to say for mayor pro tem and councilmember Houston's benefit, David King and I enjoyed a very nice lunch today. So the miracle on Second Street continues. I would urge you to adopt the housing plan, but not as an element or amendment of Imagine Austin. I don't think that the change in the posting from taking action to amend Imagine Austin to making it an element of Imagine Austin has addressed the problem on pages 223 and 224.

[2:24:16 PM]

And despite any legal opinions to the contrary, it's my view that you cannot simply ignore those pages or the procedure for amendment that is set forth in them. As far as the target number, I think you need to do at least two things -- one is to add the 48,000 current deficit in affordable housing in income restricted housing that exists today. If we pass a housing plan that doesn't try to solve the current affordable housing problem, that seems to me to be improper. As I said last week, the planning commission voted 6-6 on a motion to raise the number by 48,000. So you need to do what the planning commission almost did with respect to the target. Also, I'd like you to consider Peter Park's comment to me a couple of months ago in terms of affordability vis-a-vis Codenext, and that was that you cannot again to impact price in any significant way until you create a significant oversupply of housing. And that's your consultant speaking. They didn't do that in Denver, the last place that Peter got a code adopted. And since that code has been in place the last seven years, Denver's median price has risen 20% faster than ours has under our current code. So, I would ask that you seriously take into account those two numbers, whatever they are, 48,000 plus whatever in addition to the 135. Thank you, council.

>> Mayor Adler: Thank you. Next speaker is Jay Crosley. On deck will be Jane.

>> Hello. My name is Jay, I'm executive director of a nonprofit think tank called Farm and City.

[2:26:22 PM]

I live in District 7 in a traditional duplex. I think from the '50s. I have a master's in public policy from the LBJ School and have worked for Texas nonprofits focused on regional growth and housing and transportation policy for the last decade. My overall comment is to urge that the target 135,000 number be seen as a lower bound and not an upper limit on the amount of houses we need in Austin over the next, like, 20-25. Some things I want to share with you, the official CMAP regional forecasts that are used to plan all of our transportation infrastructure say that we will add 2,132,080 people by 2040 to reach 4,120,000 people, over 78,966 more people every year on average. The city of Austin's currently 44% of the region and to maintain that regional share, we should add 34,900 more people every year. Or about 13,960 houses. However, I know that the regional CMAP forecasts are highly problematic.

They use data from the Texas state demographer that the demographer recommends using for short-range planning. And they allocate a ridiculous amount of growth to Hays and Williamson County. An outcome should be achieved with current development patterns and car-dependent transportation systems is a nightmare of transportation. Cap Cog, on the other hand, uses the data recommended be used for short-range planning, predicting 1.2 million less people in the region than Campo does. The flawed Campo forecast impacts the allocation of transportation dollars across the region, and the citizens of Austin are getting less than we deserve.

[2:28:22 PM]

It impacts Capital Metro's Project Connect process, and means that we cannot optimize that project. And TxDOT's studies that claim endless traffic are based on the flawed forecast. So to whatever extent you push growth outside the city, you are increasing regional vehicle miles traveled. You are increasing our carbon footprint, and you are increasing traffic. When you look at the memo the demographer sent you, you'll see he's lobbying hard for continuing the sprawl pattern in the Austin region, an odd thing for city staff to do. However, he seems to be using the Cap Cog data, which is intended for long-range planning, not the Campo data appropriate for short-range planning. His projections for city growth through 2025 contain a radical change in the city's growth patterns, also.

[ Beeping ]

>> I guess I'll finish the thought. The city demographer's numbers show that the rate of the change of growth in the city of Austin will radically decrease over the next five years, something that I do not think is a realistic projection. And the numbers that you have on housing are based on that. So, please consider something more like 190,000 houses as a lower limit on what we need in the city of Austin. And that would only keep things the way they are.

>> Mayor Adler: Thank you.

>> Thank you.

>> Mayor Adler: Jane, you have three minutes donated. So you have six minutes. Evan Gill is on deck.

>> Thank you, Mayor, examine Mayor Protem, and members of the Austin City Council. Although I'm involved in many things, and I was serving as the co-chair of the working group on real estate and housing of the Mayor's special task force on institutional racism and all of the things that we dealt with in that, I want to speak as a private citizen based on my work in that, because I want to recommend some additions to the strategic plan, particularly if it is going to be an addendum to imagine Austin.

[2:30:43 PM]

I concur with the previous two speakers that we probably do need to state a number of housing units that we know we are down and need to move up. My understanding from the housing department, right now that number is around 60,000, and probably as we speak it's going up, because as we have more people moving in, we have a larger need for affordable housing. Now, going to the report from the work group, there were actually two major recommendations made. And I think that we need to have language along these lines included in the strategic plan. One is that the city of Austin intends to, plans to, or will create a specific fund, a local fund. And we gave a number of ways that that fund could be achieved, to create housing not just affordable housing, but to create a comprehensive program to redress institutional racism in Austin real estate and housing. Related to that is, we call upon the city of Austin to recognize and redress the racial injustices that were caused at least in part by prior city policies and the on-going systemic inequities that continue. After all, you know we are the large city in the United States with the highest economic and racial segregation. That's not something we want to be proud of. We're considered Progressive. We want to get past that. And I know you all agree with that. Now, thinking about the specific things that I'd like to add within that comprehensive program, on page 23 of the report, we talk about Portland. They had a criteria for bringing former residents back to gentrified areas. And we think that that would be a good place to start in looking at redressing racial injustice. So that's item 2.2.1 under fair housing and the right to choose.

[2:32:49 PM]

Under 2.3.1 under rental housing, again, following Portland's lead, there is an application that Portland is working with the private developer to put into place right now that we think Austin should also look into doing. And that would help both developers -- y'all making decisions, and people trying to move into Austin -- find affordable housing units so that apartments that have affordable housing, whether they are ones that we are approving right now or ones in the past, that those units be placed on this application so that a person coming into town can find out, hey, there's something over here and that's fairly close to where I'm going to be working. And that's a fairly simple thing that we could do that would really help everybody. Y'all, because you would have information to finally make some decisions on instead of having to look at the demographer's information and sort of extrapolate from that. You would know exactly where the units are. And then we had made some suggestions for the right to stay. And we think that one of the things that's really important is helping people who are long-term residents of minority neighborhoods or formerly minority neighborhoods in Austin to help them with -- former councilmember Raul was involved in a nonprofit that works with the valley neighborhood and has expanded a bit to offer a onetime-only payment for property taxes that the person may have fallen behind in. They don't just do this onetime thing, they then train the people on how to predict how much they need to be saving each month to be able to keep up with their property taxes and help them find

people who can help them protest tax increases. And we recommend that that be expanded to help a lot more people than just one neighborhood.

[2:34:50 PM]

And another thing that we think is very important -- that I personally want to recommend -- is that we have the chief equity officer use the new equity lens that's being developed to look at housing projects specifically in currently or previously minority neighborhoods to try and help ensure that we don't continue to push poor people of color completely outside the city. Thank you.

>> Mayor Adler: Dr. Rivera, there was a resolution that was passed this morning that councilmember kitchen brought, implementation. And anything that doesn't end up getting included in this, I hope that you'll stay involved in that implementation.

>> I'd be glad to, thank you.

>> Mayor Adler: Thank you.

>> Kitchen: May I say something? We also created an interdepartmental group which included the equity office.

>> Good.

>> Kitchen: As well as other departments that will work together on implementation.

>> All right. Thank you. Thank you, mayor.

>> May I ask a question? Did the equity officer weigh in on the housing plan that's before us, were they included in that discussion, maybe on hcd?

>> At this point, to my knowledge, the equity officer has not been involved in this.

>> Thank you.

>> Mayor Adler: Thank you. Mayor pro tem.

>> Tovo: Ms. Rivera, thank you so much for all of your work, but especially most recently. My office is bringing forward two resolutions that will pick up a few of the suggestions that you've just made, including the idea of a neighborhood preference program that would prioritize individuals who have lived in an area or have family members who have as well. So we will keep you in the loop as that moves forward and make sure you have your feedback on that.

[2:36:52 PM]

>> Thank you so very much. One of the things that we did include in our report is true stories of people who have had to leave. And I hope you read those, because they kind of give you the personal feel for what it's like. Thank you.

>> Mayor Adler: Please thank the others on that institutional racism panel. There were some changes we have just gotten here in the last 24 hours from the housing folks to incorporate specifically having been informed by that report that you all worked on.

>> Excellent.

>> Mayor Adler: Thank you.

>> Thank you very much. Any other questions?

>> Tovo: About the stories, the narratives that you referenced, that was a very powerful part of the report. And I just really appreciated the inclusion of that. So many people understand the narrative, and so having that in addition to the fine research and recommendations made for a very powerful statement and path forward for our community.

>> Thank you, mayor pro tem. Appreciate it.

>> Mayor Adler: Thank you.

>> Thank you.

>> Mayor Adler: Next speaker is Evan gill. And then Paul Hilger is on deck.

>> Good afternoon. I'm waiting for my powerpoint show to be pulled up. My name is Evan gill. I'm here today as a private citizen. I recently moved to district 5. I'm happy to be in councilmember kitchen's district. So I wanted to take a look at the numbers set forth in the strategic housing plan. And I'm generally in favor of this plan. I'm glad that we're putting some numbers to the problem so that we have, you know, a goal to shoot for. But I want to take a look at how we achieve the needed number of housing units for each, you know, income range and whether, you know, we have the capacity and the funding to be able to do that by 2025. So, I was messing around in excel this morning. And I decided to calculate, essentially, taking a look at annual rent growth between now and 2025, what the funding gap or what amount of subsidy would be required to subsidize the number of units for one full year.

[2:39:14 PM]

So this is an annual figure. And I will -- after I walk you through this chart, I will kind of explain my calculations in a little more detail. But if we're able to reverse market rate and rent increases by 2% a year -- so this is annual rent growth of -2%, then the funding gap in year 2025 would be about \$128 million. I shouldn't say funding gap, but that would be the amount of subsidy required to house this number of people, or to create this number of housing units. If we go back to 10% annual rent growth which is about the rate of growth we saw between 2008 and 2014, then that figure jumps to \$1.335 billion annually. And, you know, that's a very difficult number for us to achieve on an ongoing annual bases going forward from year 2025. So the way I calculated this is for each income bucket I calculated -- and this is assuming that the current median rent is 1300 -- approximately 1300 as put forth in the plan. So based on that number, I compounded on an annual basis up to 2025 what rent would be. And for example, at the top, this is assuming -2% rent growth, which would drive market rate rents down to 1,106. Assuming 10% annual rent growth, and assuming people can spend up to a third of their income on rent.

[ Beeping ]

>> So, to summarize my findings, basically, unless we can build enough market-rate housing units, we're not going to be able to stretch our subsidized dollars far enough to close the housing gap and to provide enough units.

[2:41:25 PM]

>> Mayor Adler: Thank you.

>> Thank you.

>> Mayor Adler: Paul. Is Andre here? You have six minutes, Mr. Hilgers.

>> I will do my best not to take up all of your time.

>> Mayor Adler: Bill Morris is on deck.

>> Council, mayor, city manager, I am Paul Hilgers, the CEO of the Austin board of realtors. I served as the director of neighborhood housing and community development for ten years. I've been involved in housing issues for a long time. I'm here to congratulate you on the vision and leadership you're providing by setting out bold goals, visions. You have to know where you want to go if you're going to try to get there. The only couple of things that I would highlight for you is that you do need to do what you did this morning and follow through on looking specifically at corridors and how you can create a diverse level of housing for diverse families along these corridors. And I think that would be helpful. The second thing is there is an existing gap that you need to incorporate into the total amount of housing that you want. You might as well think big. And you might as well go for creating a diversity of housing



stock that would meet the needs of this city. I would highlight for you that the Austin board of realtors is about 12,000 strong. You're going to hear from some of our leadership after me. The board of realtors does a very deliberate process for analyzing issues. And included in that is our legislative management team. We look at these very carefully. We take on issues that are balanced, reasoned, and diverse and take into consideration the needs of neighborhoods, families, and this city. The major point I would ask the city council to consider today is to please recognize and reach out not just to this interdepartmental group, which the city needs to include, and I congratulate you on that, but you need to reach out to the other institutions in this city.

[2:43:34 PM]

You need to ask the county, cap metro, ACC and aid, to get involved in the fundamental element of creating housing opportunities. You need to ask the private sector and the employers to figure out how they can use housing as an opportunity to do recruitment and retention of their employees, because until we all as an institution -- as institutions and citizens get involved in supporting this major goal, which is going to require -- I'm not sure it's as much money as we just heard about but it's a lot of money and it's going to require more than just the city of Austin. I congratulate you on your leadership and going forward with this. I congratulate the staff of the neighborhood housing and community development department and the leadership of the city and the city manager for bringing this forward. And we look forward to continuing to work to push through issues of codenext, and issues of rewriting the land development code in a way that works positively and proactively with the private sector to achieve the public benefits that this city needs and wants to achieve. And so we look forward to continuing to work. And we urge your support of this plan. Thank you.

>> Mayor Adler: Thank you. Bill Morris. On deck is Barbara McArthur.

>> Good afternoon, mayor, mayor pro tem, councilmembers. My name is Bill Morris. I am a working real estate professional here in the city of Austin. I am a past chair of the legislative management team at the board of realtors that Mr. Hilgers just mentioned, I'm a director at the board of realtors. This year I chaired a policy team which is focused on growth and development issues, in particular, codenext. And so I'm bringing that context with me to the discussion this afternoon. We support the goals of the strategic housing plan. With attention to what codenext says about how to incorporate changes, we do encourage you to adopt this as an element of -- codenext or imagine Austin, and to incorporate it as a part of the plan.

[2:45:49 PM]

I do ask you to make sure that as you do that, you incorporate metrics into the plan. On pages 223 and 224 that you've heard mentioned before in imagine Austin, there's discussion of annual and five-year performance monitoring. And that is intended to drive changes to the plan as time goes by. I would add a note that we are skeptical about being able to achieve everything that's needed in 3% of the city. That's not an awful lot of land. I've not done the math to see how many square miles that is, but it will be very dense in that area, in my estimation. More importantly, I ask you to keep the end in mind. Codenext is the reason we're all here. And actually, what allows the strategic housing plan to get the visibility it is. The truth is, we need a lot more than 135,000 units. You've heard the 135,000 will keep us even with where we are right now, and that's assuming the population doesn't outrun that growth. But we're not going to be able to build and control the cost of every unit that's needed. We need a facility that allows the market to participate in deciding what gets built and where, and at what cost. I'd also ask you to take the large view of this. This is not just about the city of Austin. Obviously, all of you were elected by constituents in the city. But our ineffective code and development permitting process right now is actively exporting low- and middle-income workers and families to the suburbs. With them, we are driving housing supply, housing affordability issues, miles around. We're pushing the transportation requirements that are complicated enough just inside the city many miles away and complicating commutes for everyone involved.

[2:47:57 PM]

Water, other infrastructure requirements, all are being pushed into the suburbs.

[ Beeping ]

>> And you get the picture here. The point is that the decisions you'll make in the coming months are not affecting just the city of Austin. They're affecting what central Texas looks like and lives like in the next 20-40 years in maybe a 40-mile radius or farther from the city of Austin. We appreciate your help.

>> Mayor Adler: Thank you. Barbara McArthur, and Alan is on deck.

>> Hi. Thanks for letting me come today. I'm speaking as a private citizen and scientist. I'm truly grateful the city of Austin has put emphasis on affordable housing at this time. It is disappearing so rapidly. I have issues with the plan, which contains directives which align the concepts of the free market to solve the affordable housing problems rather than building a concrete housing fund that could really work. My first concern is that the imagine Austin plan is to be amended with this document before codenext is worked out. I urge you not to do that. And then there's specific points that I'm going to bring up. At least 75% of new housing units should be within a half mile of imagine Austin centers and corridors. The way this concept was presented at the affordable housing workshop I attended was that there should be no single-family housing within a quarter mile of any bus route. I clarified that it was route and not stop. My neighborhood, which was built as a working-class housing neighborhood, houses averaging 850 square

feet, has five houses not within that area -- that boundary. Another part of the document says, maintain existing homes affordable to community members, but the policies for implementation imply massive removal of existing housing stock to make room for these new units.

[2:49:58 PM]

The areas targeted will be those with smaller units. Now, there is allowed the development of smaller houses on smaller lots. This is a great concept for city land or new subdivisions, but I'm concerned about what it will do to existing neighborhoods with the formation of micro-lots. Relaxed regulations on both internal and external accessory dwelling units, ads. If you are serious about ads being built for affordable housing, limit their size and prevent them from being used as short-term rentals. There's a big section on the relationship between parking requirements and affordability, assuming that if you remove the parking requirements, all of a sudden there'll be a whole lot of affordable housing, not considering that the land prices will go way up, and not considering that we have no fundamental sidewalk network in the city of Austin. The strategic housing plan closely embraces the tenets of new urbanism. Lots reduce parking and access to transit. Research has shown that this does not produce affordable housing. Only a small percentage of people who make the median income can afford housing developments on these principles. Published in 2016, data for 152 new urbanist projects were obtained. And it was found that 23 out of 152 developments, only 15%, were affordable to someone making the area median income. And we're not talking about people on the low-income scale.

[ Beeping ]

>> Mayor Adler: You can finish your thought.

>> The last thing I'll say quickly is that Seattle implemented removing parking ten years ago. They're building more apartments than ever. And they have the highest increase in the whole nation, at 9.7% a year. Thank you.

>> Mayor Adler: Thank you. Yes. Mayor pro tem.

[2:51:58 PM]

>> Tovo: Would you mind sending on the article that you cited to my office?

>> Yeah. I emailed you guys, but I'll send you all the articles.

>> Tovo: Can you give me a sense of when you emailed us?

>> Yesterday morning.

>> Tovo: Thank you.

>> Mayor Adler: Alan Mcmurtry, and on deck is Mary.

>> Thank you, mayor and council. My name is Alan. I've operated a small business on burnet road since 1984. I got interested in the Austin strategic housing plan because of its impact on my business. I know others who have businesses on activity corridors. I endorse the concept of affordable housing, but I do not believe this plan delivers it. On the screen is a map I made of what this plan will do to Austin. I took a half a mile red border around each of the activity corridors. This represents a 3500 square foot lot with six units. There's actually denser development than this. Take a look at the activity of the corridor analysis I did, which is next. This gives you a layout of all of the activity corridors, their length, and the location, north, south, east, or west. This, if filled out with one-mile-wide activity corridors, would create 5.1 million new units. And according to the demographer in Austin, that would allow us to put in 12.47 million residents in Austin, Texas. I believe that's a little more than what we need at this time. I'm fairly stunned at the speed of this process, the lack of data in it, the lack of imagine austin-required analysis, and the fact the city is prepared to develop density one mile wide down each activity corridor.

[2:53:59 PM]

I didn't even plot the centers. This is tilted to the landowner who builds on the property, nothing for those who make Austin home. Small businesses pay a staggering amount of taxes, yet we have four weeks to read and digest this document. Based on current Seattle analysis, that Ms. Mcarthur referred to, it appears that lower parking requirements will actually run families out. Let me say that as a businessman, I would never, ever take this dramatic a change on the way I operate, especially to business customers that I have. This is a big mistake, in my estimation. It will hurt business in a way I can't comprehend -- who my new customers are going to be as the patchwork quilt of redevelopment explodes. Who are they, what do they want at what price, where's the traffic capacity to bring my customers in, where are my parking spaces, where are the families, and will the flooding hit my business? As a businessman, I constantly need to know the law. Changes to imagine Austin should be addressed through the annual review, on page 220. Zoning decisions should be guided by imagine Austin, page 220. Continued protection and preservation of existing neighborhoods to avoid endangering the character of the neighborhoods continued protection and preservation of existing neighborhoods, page 219. One second. Council, there is none of this in the above document. Affordable housing is a laudable goal, but this document does not deliver it. You can't build cheaper housing on expensive land. If you want this done right, please do not approve this document.

>> Mayor Adler: Thank you.

>> Thank you.

>> Mayor Adler: Mary.

[2:56:01 PM]

Asar is on deck.

>> Hello. My name is Mary, and I live in district 7. I'm also a board member for Ora, which advocates for an Austin for everyone. I'm here to testify in support of this plan. I've been very impressed with the staff engagement. I actually got a presentation from them back in December, because they provided a draft and were able to engage the community, which I very much appreciate. And I see how that draft has been updated based on a lot of community feedback, so I really appreciate all the staff time that has gone into this document. There are a few areas I'd like to call out as particularly good that I think get lost in all the shuffle. And they should be maintained in any plan that does pass. So in particular, the focus on household affordability where you incorporate transit costs into people's actual ability to afford a home is really, really important. The analysis supporting reductions in parking is particularly beneficial, as it directly affects rent paid by our lowest-income residents. We need to focus on housing people, not cars, especially as we talk about changes in autonomous vehicles and things like that. And just because we're removing parking minimums in certain areas doesn't mean that people won't continue to offer them to their residents and businesses. I'm especially in favor of the mention of allowing internal adus, small lots, which all provide more options to residents. When I lived in Chicago, where the standard lot size is 3,000 -- about 3,000 square feet, I lived in a three-flat home that the owner lived on the first floor, another family lived on the floor above us, and we had a shared back yard and it was wonderful. I could walk to the daycare, to the bus, to the transit stop, the grocery store, and I didn't need a car. So it was way more affordable for me and it didn't have parking, either.

[2:58:06 PM]

So I also bicycle every day, even now, expecting at eight months, I still take my children to school. So I'm encouraged to see that mention of connecting bicycle and sidewalk infrastructure to people's housing choices. So, overall I support this plan. And the only change I would add is to request that unit target be basically a lower threshold or to potentially even increase is, because it's a goal, not a commitment. And it doesn't account for many of the single persons who live with other people who have, you know, mentioned in various surveys that they would like to live alone if they could afford that. But they currently can't. And the growth numbers only look at current demand, which we're not even able to meet people at 100% mfi right now, people who make median family income cannot afford a home in Austin. So we need to address that. And I thank you for your time today.

>> Mayor Adler: Thank you very much.

[ Beeping ]

>> Mayor Adler: Asar and then sakar is on deck.

>> Good afternoon, mayor, mayor pro tem, councilmembers. I thank you for giving me the opportunity to talk with you here today. I'm here in support of the strategic housing plan. I will briefly talk about three things. First, as you all know, the draft housing strategic plan is a two-year process and it has involved a ten-year community conversation so we have had multiple opportunities for the community to chip in and give their feedback on this. A plan that is [inaudible] From this process answers a lot of needs specified by the community and I think it is drastically better than what we have today which is nothing.

[3:00:06 PM]

So having the plan and supporting it would be something we should do moving forward in keeping our affordability goals of the city. Second, I believe council should adopt the plan before we move to the codenext process. Codenext is a multi year project and if you try to align that we will needlessly delay the plan which is not something we would potentially want. As has been said, the plan specifies our goals for the next ten years. We need to specify the goals before we move on to policy actions such as codenext to specify how will we act on those goals. So we would want to support the plan before we go to the next process. I just want to touch on this. There's been a lot of conversations surrounding having our housing stock, 75% of our housing stock within a half mile of urban centers. I do not own a car, do not know how to drive, do not talk to my mother about it. The way I look at housing is where the bus goes. It is important and I'm so glad it's a big part of this plan so I definitely support that element. Overall I ask you to vote in favor of the Austin teenager housing and plan -- strategic housing plan and hope you will be able to do it today. Thank you for this opportunity.

>> Mayor Adler: Zenobia Joseph will be on deck.

>> Hello. My name is sakar Thomas and I am here in favor of the Austin strategic housing plan. What I would like to do today is talk to you, and I'm here with the Austin board of realtors, past chairman, currently a real estate broker in Austin.

[3:02:09 PM]

I've been listing and selling property for a long time. I would like for you to do a quick exercise in math so don't get afraid, it's really easy. Write the number \$48,000, write that number down, \$48,000. And then divide that by 12. It's 4,000. The \$48,000 represents the average price that a teacher gets paid every year. So if you divide that by 12, you get \$12,000. Multiple that by 30%, that's \$1,200. That is currently the principal, interest, taxes and insurance would be for a etch tooer, which would be great if we had houses that she could afford. If the teacher wanted to buy a house in Austin, that house would have to cost between 140 to 160 thousand dollars. Right now sitting where we are, apartments that cost more than that. If you look right behind us at ali downtown, 201 lavaca, one two-bedroom rents for 1789. I can't afford that. I go further, 421 west third street, one two-bedroom, 1689. I can't afford that. What am I going to do? I'm going to drive to Buda like my daughter's geometry teacher does and drive in every day because I can't afford a house in Austin. Please pass the strategic housing plan. Thank you very much.

>> Mayor Adler: Thank you. Eric Goff will be on deck.

>> Zenobia Joseph. My handout is coming around.

[3:04:10 PM]

I actually am in opposition to part of the plan as relates specifically to transit corridors. Transit corridors are mentioned three times in the plan. The word "Corridors" mentioned 20 times. As a previous speaker mentioned, it appears you did not plan in collaboration with capital metro transportation authority. Let me just give you an example. There are two reasons why you have public transportation. One is for ridership, the over coverage. When you focus on ridership you are thinking bike a business, you pick the people you want to serve. When you are focus on coverage, you are thinking about the needs of the people. What I want you to recognize is much of what capital metro does is not transparent. Here's a specific example. Austin community college, there is actually a stop in cedar park. For the past three years capital metro has not charged cedar park for that stop. So \$27,000 was just absent from their funding stream. I often wonder why they kept the northwest feeder bus because it cost \$21.23 a rider. While cutting the routes where transit is needed in northeast and northwest Austin. The routes that I'm specifically talking about are where you have affordable housing. Route 383 lake line bus and the route 392 off breaker line. One of the things that's problematic they think like a business. Route 214, they will receive money as relates to taxes from Lago vista voters. They will receive money from jonestown. I have no idea how much jonestown will owe them. My point is they are focused on white people who are specifically millennials, and I gave you that information on March 22, 2017, 72% white women ages 25 to 35 who earn over \$100,000.

[3:06:20 PM]

While you are talking about affordable housing anchor doors, you have to recognize that the people that they focus on are not the people who need transit the most. I gave you some specific examples and I gave those to councilmember Ora Houston's office on April 24th, 2017. One of the things that's problematic is what you are voting on is an abstract map. That's a 30,000-foot view. It's not on the screen, it's in front of me though. You can remove the map. It's meaningless. These are the corridors, but they don't mean anything to the people looking at this plan. Yet this is what you are voting for. You can remove it. One of the other recommendations that I have is what another person mentioned is aid.

[Buzzer sounding] In large part you have to recognize what the students need, what the district needs and what the community needs as a whole and not vote on a plan that was done in abstract. Thank you so much.

>> Mayor Adler: Thank you. Eric Goff. Sunshine Mathen.

>> Garza: Can I ask a quick question, mayor? At work session we had asked if there was a map of overlay of cap metro transit and the imagine Austin corridors. I was wondering if staff was able to produce that and if they were if we could get it on the dais.

>> That map has been provided and it's in the backup.

>> Mayor, mayor pro tem, councilmembers, my name is sunshine Mathen, Austin housing coalition and advocates in the city of Austin working to coordinate our collective work.

[3:08:20 PM]

I was here to speak in support of the plan and I'm here again. The strategic housing plan is a critical core document directly relevant to a city that belongs to us, all of us, not just those who live here now and those of us that will soon have to leave the city for the same reason. To be clear this document is one of a very, very few that directly addresses the needs of the most vulnerable. Transportation and affordability. We passed the transportation bond and now here is the next step to address the crisis of affordability. I have heard criticism that it is not a plan because it lays out 60 plus strategies or methods for addressing affordability. It is a plan because fundamentally we need them all. There is no silver bullet to our crisis. If there were, we wouldn't need this document frankly. We were confronted by the beauty and strength of our city and intense market pressures and a state not sympathetic to municipal policies. We got what we got and we need all the strategies and that plan doiled out and implemented if we are going to succeed. There is no -- though no document of such a comprehensive nature is ever perfect for everyone, I urge members of council to adopt the plan and further to take concerted, focused action on the significant number of next steps to actualize the goals. Thank you.



>> Kitchen: Could I ask our staff again -- it wasn't a question for you. I wanted to ask our staff again, we're having difficulty locating that map. So did you mean the backup on the agenda?

>> Rebecca, director. It is a part of Q and a. It's part of the responses to the questions that were asked at work session.

[3:10:23 PM]

We would be happy to make more copies.

>> Renteria: --

>> Kitchen: That would be helpful.

>> Mayor Adler: Mandatory evacuation Demayo.

>> Mayor, mayor pro tem, city council members members. I spoke last week but I wanted to reiterate a couple of points. Executive director of housing works Austin. Housing works is also a member of Austin housing coalition which sunshine just spoke about. And I wanted to let you know that we started this process I think it was about a decade ago, if I'm not mistaken. I went through my files and I pulled a memo that we put together for prior city council March 2011 where we urged the city to develop a clear strategy for housing, for housing across the income spectrum for the city and we laid out what we wanted to see in terms of goals and strategies to reach those goals. So we are really thrilled that this is coming before you now. And I do want to remind folks that we had 18 plus months of public input that we were happy to be part of the stakeholder process and we really -- there were multiple revisions. The initial draft that came before city council, the housing community development committee, we provided a significant amount of input into that initial draft, and we really felt like staff was responsive to our concerns with housing works, Austin housing coalition and a lot of our recommendations were incorporated into the final draft before you. So I really encourage you to adopt the strategic housing plan that is before you and make an amendment to the imagine Austin comprehensive plan because I feel like this is a really important guiding document and will help us get us where we want to be as a city. Thank you.

>> Mayor Adler: Thank you. Vanessa Olson signed up not to speak but indicating support.

[3:12:27 PM]

>> Thank you, mayor. Councilmembers. Charles Cloutman, vice chair of the Austin housing coalition as well as vye president for home repair with meals on wheels and more or central Texas, sorry, old school.

We applaud the strategic housing plan. We applaud the housing department for listening to input, making this -- the changes they could make and I am totally in favor of the plan as it stands before you today. The advocacy for 600 homes to be repaired annually is an eight-year battle we've been waging for preservation of homeowner-occupied housing. So we don't lose the mom and pops of Austin. They will keep our neighborhoods secure and we keep our neighborhoods in balance. I also as current share of the building and standards commission, as a private citizen I'm saying this as a disclaimer to the legal department, I am not representing the board, but monthly we are confronted with failed multi-family rental housing and the inability to do anything about it. We must have a goal to preserve our apartments that are decaying. We have more than 10,000 units that are on the verge of decay as we speak. We must have a safety net, we must have an action plan. This is the beginning of that. It's not the end. We have many different strokes to wage this battle. The mayor's approach to this has been very heartening that we can come up with a public-private partnership that will actually help our safety net. We must move forward with this. We will always Bain the day ten years from now if we don't act today. We must move now. I thank you all for taking this up, I thank you for starting this process and I ask that you fulfill that for the citizens of this city and for the poor and for those who can't afford it.

[3:14:38 PM]

We really appreciate it. Thank you all.

>> Mayor Adler: Thank you. Those are all the speakers that we had on this. That gets us back up to the dais. Is staff here? Do you want to lay this out in recommended changes?

>> Certainly. Staff has submitted a summary of staff recommended changes that include a number of changes that were based on planning commission input as well as a few corrections and also input that we heard over the last -- over the last few weeks at various -- at various meetings. Do you need me to read through them? It's the document that's labeled staff recommended changes, April 10th proposed Austin strategic housing plan.

>> Mayor Adler: Is there a motion to --

>> Kitchen: I have a question.

>> Mayor Adler: Yes.

>> Kitchen: Okay, so this one -- the one April 10th includes the planning commission.

>> It does. And then we provided a clarification, I guess, a document that was distributed today and it just pulls out there exactly what's in the staff recommended changes. It just shows how the staff recommended changes were responsive to the planning commission recommendations.

>> Kitchen: Okay. I'll move.

>> Mayor Adler: Ms. Kitchen makes a motion to approve, Ms. Garza seconds. The matter is before us now. Discussion? Ms. Houston.

>> Houston: I'm sorry, mayor, I had my hand up waiting for you to look at me, but you don't so I had another motion to make so I -- it's been seconded?

[3:16:43 PM]

>> Mayor Adler: Yes, it has.

>> Houston: I'd like to amend that motion to move that we postpone this item until may the 18th, if I can get a second I'll say why.

>> Mayor Adler: Is there a second to postpone this matter? Dr. Alter seconds.

>> Houston: The reason I'm asking for the postponement, mayor, is because there have been -- first of all, I want to thank staff. You all have done an amazing job keeping up with all the comments that we've made over these last two weeks. But in that time, this document has -- has changed so substantially that I think we need to give the public an opportunity to review it and give comments. I don't think that request for delay is going to stop the implementation. Most of us understand the need for having a housing report or something to guide us as we discuss housing in this city. I asked you this morning for some of the data and only less than 500 people participated in these community conversations. Less than 500 people. Now, I asked some of the people who did participate if it was their understanding that this would be adopted or amended -- would amend the imagine Austin plan. Some people didn't understand that. And so if you all told them that, they didn't hear it, they didn't understand the implications of what that might be, although I'm understanding now you all are saying there are no implications, this is just a guide. I think if we are truly a council that talks about transparency and community engagement, that the people who are not here, who have just now started to get engaged have an opportunity to review this last iteration so that they can give feedback and allow them time to vote when we come back on the 18th. Otherwise people will -- we will as a council be voting on something that the community really hasn't had input into. You've been listening to us, you've been listening to some of the special interest groups who are here all the time, but the community really has not with less than 500 people engaged in your conversations, not had an opportunity to look at this draft so that's why I'm drafting for a postponement until the 18th.

[3:19:04 PM]

>> Mayor Adler: Is there -- there is a motion to postpone on the floor. Any further discussion? Mayor pro tem.

>> Tovo: Councilmember Houston, I wonder if you could explain the length of the postponement. I am -- I am at a -- in a -- I'm weighing the request. I understand and have heard lots of urging from many, many people who move forward with it and I understand -- I understand the interest in moving forward in a timely fashion. I share it. On the other hand, I'm looking at -- I lost track, but I think seven pages of amendments that we've just gotten today from different colleagues and that's not including the ones I distributed and I hear tell maybe there are going to be amendments to the amendments that I've made or I'm suggesting and we have nine pages of staff changes. I would appreciate at least another week, so I would certainly support a postponement for a week to kind of wrestle with all of the amendments before us or we can take the time we're going to need to today to work through them all. I think that's an example when we don't necessarily do our best work, when we're on the dais trying to read each other's suggestions and respond to them and making amendments to amendments. That is -- we are not at our best deliberative, in my opinion, or in our best deliberative process when we're doing that necessarily. We're not necessarily in our best deliberative process. Can you help us understand the length of time that you are asking for?

>> Houston: The reason I've asked for the 18th, and I'm willing to make that shorter, I want to give the zoning and platting commission time to look at this as well because they have so much land mass that is not included in a contact team or looked at by the planning commission.

[3:21:07 PM]

And they have specifically asked us to give them a time to be briefed on it. So I don't know when their meeting is, but I would be willing to postpone it until they can be briefed, give recommendations and bring it back to us at our next council meeting. But I think they need to have an opportunity. They requested and I would support that. A lot of people are just paying attention now.

>> Mayor Adler: Is there further discussion on the dais councilmember kitchen.

>> Kitchen: I appreciate the request and I have asked members of the -- of the zap to give me any amendments they have. I am struck by the fact as we talked about at work session this draft was presented to the joint committee, joint planning commission and Z.A.P. Committee and at that time there were no comments I'm aware of from the staff so I think that's important to bear in mind.

>> Mayor Adler: Councilmember Garza.

>> Garza: Similar to work session, I have to respectfully disagree there hasn't been a lot of public input. We just heard another comment this is ten years in the making. As I said in work session, I think there

are a lot of philosophical differences and I don't think a postponement is going to change many of those. I would prefer to vote no on the postponement and go forward on voting on this today.

>> Renteria: Mayor?

>> Mayor Adler: Mr. Flannigan, then Mr. Renteria.

>> Flannigan: My feelings are pretty well known, but more specifically I'm comfortable with recommendations from the planning commission. I have zero plans in zone 6, but part of the beauty of geographic -- that's what that would be.

[3:23:16 PM]

I'm also -- I'm also comfortable moving forward with a document that is essentially not prescriptive but it is merely advisory. If we were talking about ordinance and law making and civil penalties and all that heavy stuff, then a more deliberative process would be easier to justify, but in this case I think after all the work that staff has done and all of the community work that has followed and the years of effort around it, I think we're all well supported and well staffed to make our way through several pages, even ten pages of tweets and changes when mostly it's awkward wordsmithing and I don't support postponement for that reason.

>> Mayor Adler: Mr. Renteria.

>> Renteria: Thank you, mayor. I also don't support the postponement. We have worked on this for -- since I've been on the council and before then I have pushed for affordable housing. And even when I served on the community development commission we have taken up items and all the wish lists. These kind of delays are what are really hurting us. We had the homestead preservation, ten years, five years to the city to get the homestead preservation passed. And so, you know, these are the kind of things that just every time we just say, hey, let's just kick this down the -- the can down the street and we'll take care of it later on. You know, we -- we really need to start thinking real seriously about passing this plan and let's get it going.

>> Mayor Adler: Yes, councilmember alter. At a.

>> Alter: Thank you. I too appreciate all the hard work the staff has done and the time that has brought us to this point and I think it's very important that we have clear goals.

[3:25:17 PM]

The reason that I support my colleagues' proposal for a postponement whether it's may 18 or early, I think there's an opportunity to strengthen this. I think reasonable people can debate whether we have the right goal. We have a memo from the demographer that suggests maybe it's too high, others suggest too low. I think we will never get to where we want to go if we really don't know where we're going and we don't unpack that number. We heard today that the equity officer has not reviewed the plan. The demographer was not intimately involved in the process. Z.A.P. Has not weighed in. Only small portions of the institutional racism report were included. We not yet heard back on our studies with respect to the density bonus or the linkage fees. The codenext maps will be released next week. Before we go about amending imagine Austin, I would be much more comfortable with a pause to make sure that we understand what it is that we are voting for, understand where we are going. Let me just give you one sense of the numbers and I hope at the very least if we do not decide to postpone we will have an opportunity to hear from the demographer, but if we unpack our 135,000 and say we have 75,000 of essentially market rate apartments for 80% mfi and look at the number of units we've been producing, we've been granting entitlements to over the last several years, we're granting that market affordability already. But that means that we have that 60,000 for that under 80% mfi which is where we really, really need to focus. And if we don't really unpack these numbers and see where the problems are, we are going to focus our energies on the wrong places and we're not going to address the needs for

[3:27:23 PM]

[inaudible] Part of the Austin community and want to -- and can't afford to rent or own

[inaudible] People above 80% mfi. The numbers -- and I don't know whether it's higher or lower, but we will never get to where we need to be if we don't really understand that number. So I support my colleagues' request for a postponement.

>> Mayor Adler: Ms. Kitchen.

>> Kitchen: I'm in a place where I support moving forward with this plan. I share the concerns of my colleagues that have spoken about it's been a long time and we are way behind the curve in where we need to be with housing. We need to not delay. We could spend a lot of time wordsmithing, thinking about the goals, that sort of thing. I agree it's important to unpack our goals, but that's a next step as far as I see it. That's a next step in our implement plan where we drill down even further into our goals and get more specific about where and who and all those details about where we put the housing. That's the next step. I really don't want -- I don't think that we should delay. This is really -- this is -- this is unprecedented for the city of Austin to do this and way past due and we need to move forward with this first step. There's a lot, lot more work that will have to be done before this ends up improving housing on the ground. And I really do not want to delay that.

>> Houston: Mayor?

>> Mayor Adler: Ms. Houston.

>> Houston: Thank you. And I appreciate all my colleagues' comments. As probably councilmember Renteria and I have been here longer than most and I have lived through plans that were not specific and where some of the unintended consequences were not looked at and goals were not set and there were not specific deliverables to ensure that the people who are currently -- as one of the young men talked about, the sprawl.

[3:29:47 PM]

The sprawl is because we did not do the things that we needed to do historically to ensure people were protected. I'm very afraid that by not taking the time to look at what is occurring in this plan, we will increase the amount of displacement for people who have been displaced already, those who are still hanging on by their fingernails will be displaced. I have asked for documentation where the increase in housing stock in fact reduces the affordability. It hasn't happened in Seattle, it hasn't happened in poll, nor has -- Portland nor Denver. We keep following the same path and I think there's an old song that says insanity is doing the same thing over and over and expecting different results. I'm afraid what's what we're doing with the passage of this plan. We have nothing in place to protect the people who are already here, who will be further displaced when we start building density and on the corridors. As many of you know, there's one developer that's bought up 90 properties on unwith of my corridors, one of my neighborhood corridors, and that whole transformation is going to happen because the people who live there don't have the capital, he this don't have the financing. It -- I'm not sure that we understand all the nuances when we talk about making Austin a compact, dense society. The people who used to afford to live here can't like the school teacher. So this is just a time to pause. I understand there's a rush. I mean you can feel it as you sit on this dais that there's a rush to get this done today.

[3:31:50 PM]

And so I just want everybody to be aware that there are things that are about to happen that none -- 2 people that we say we care about have no ability to respond to except to be able to get out. So I'm ready to call the question on the vote.

[Applause]

>> Mayor Adler: Mr. Casar.

>> Casar: I think this is potentially some -- a good plan. I agree that despite Austin having added housing recently, it's still getting more expensive just like Portland and other cities that were mentioned. I think

the challenge we face is added housing stock and if those cities had not how much worse can it get is my fear. I believe this is an ambitious and balanced plan that not only thinks about market units, but also a goal before market in subsidized units and that's a key part of what we need if we want to keep people in place or even bring people back. I'm ready to move forward and start -- especially if we win some of the fights at the legislature implementing the kinds of funding program we need and kind of strategies in codenext.

>> Mayor Adler: Mr. Renteria.

>> Renteria: What I was talking about the delay, we have been delaying this, there have been no plans for Austin, especially east Austin and the inner core. If you ask anyone who lives around here if they've seen their appraisal values, my home that I bought for 21,000 38 years ago has a market value now of 417,000.

[3:33:59 PM]

There's a home in Robert weaver, all he did was paint over it and it's on the market for \$600,000. My land value has jumped up to \$270,000. There's no exemption on that. You get taxed immediately up front on that amount of money. And if we don't do anything -- these people -- my neighborhood, you know, they are already saying hey, I can't afford this value. If we keep that up, you know, just last year, our homes there was selling at 350. Now they want 600,000. You can get the appraisal district when they see that value on the market that they are going to raise everybody's value in that whole neighborhood to 500 to 600,000 next year and tax us at that amount. So we can wait, nobody will be here anyway, but we can wait.

>> Mayor Adler: Anyone else before we vote? Councilmember alter.

>> Alter: I'm wondering if it will be possible to hear from the demographer before we vote on the postponement. What he has to say -- his memo did raise a lot of questions about the number and I would like to hear more from him about what he thinks the appropriate goals are. You know, the goal of this is to solve some particular problems and to do that we need to understand the numbers and the assumptions that that are underpinning things.

>> Mayor Adler: Is he in the room?

>> Thank you very much. Ryan Robinson, city demographer. Mayor, mayor pro tem, city manager, I'm feeling kind of lonely philosophically out here. I feel like I've been made out to be a sprawl agent or sprawl merchant.

[3:36:02 PM]



That was not my intent. And, you know, hearing the people in this room who I really respect and not to call her out, but Mandy Demayo, I don't ever want to be on the arguing side of Mandy. And housing is one of those complicated sort of universes into itself. But my basic intent is simply to point out that what we're trying to do with this plan, and it's an admirable plan, is reverse really big market forces. I would love to see that happen. I would love to see the city of Austin retake that market share. In this case market share is population. But I'm just not sure that we have the tools. I want to be a believer that we can create market rate housing, that we can generate that in the right part of town. But I'm just not sure how we do that. One reason why I don't understand that is I'm not a housing person. The part that I know a little bit about are big, broad population trends. And what we're talking about is really stepping in and taking this fabulous city of ours and really moving it, not just nudging it or taking advantage of opportunities where we see them, but I'm just worried that we're fighting windmills. That we're going to put ourselves in a position that's overly aspirational. To me the word "Strategic" is hardly immaterial please achievable goals. If we set goals, it's a goal, it's really ambitious and that grates, and we should have ambitious goals, but we need to be cognizant of when we become pollyannaish and when we're setting something within the realm. I think there are things we can do. My intent is to not undermine this plan. I think it's a great plan. The team, it's a great team. We have lots of smart people in this room.

[3:38:03 PM]

I don't want to intercede with that process, I want to come in and say you guys are talking about moving a mountain. If that's what we want to do, then let's get to it. But that's going to be -- I just want us to be fully cognizant. The one quick followup, the reason I fear overheating asking units, -- overscheduling units, somebody said it earlier, you have to have a state of oversupply. The market is probably not going to let that state of oversupply ever happen. The development community, at least on the multi-family side, they are so sensitive to occupancy. That when citywide occupancy kicks down one point, two points, they throw the brakes on big time. As long as we're all sort of on board that's what we're up against, that was my intent of the memo. And it hurts to be thought of as sort of someone who is promoting sprawl, that's not what I want to do. I want to see this city be, you know, the extremely successful place that we are. But our housing is expensive because we are successful. We have been the most vibrant metropolitan economy in the country for six years running. So it's a cookie cutter. Our city boundary is a cookie cutter you are putting on this expanding piece of dough -- I don't know if that analogy works. There are strategies we can do, but I just want us to stay within the realm of what's achievable and yet be ambitious.

>> Mayor Adler: Do you want to ask any questions?

>> Alter: Sure. Appreciate you coming to spend time out of your schedule to answer questions. Can you say a little more about why the market won't ever let us get to this position of oversupply?

>> You know, and maybe that's already outside the realm of my expertise and I want to be sensitive to that because if any expertise I have is focused on the demographics.

[3:40:05 PM]

I just think that from 27 years working for the city and following these markets, the development community doesn't want to create an oversupply. We had a big oversupply in the '80 Forsyth those of us here. It took a long time to work through that. That was good old-fashioned speculative building. Was it good, bad? It has wound up giving us clusters of affordable housing. We benefited from that oversupply but it took us 20 years to get that benefit. I want to believe we can influence the market, but, you know, that's where I just -- you know, especially in a strong property rights environment and especially in a state that relies on property tax. I just think it's going to be a hard needle to move. It doesn't mean we shouldn't get out there and try, sue that was the intent. Also I want to say when one of you reaches out to staff, that's our job is to respond. So I feel like I'm, you know, that I did that, I responded, but now, you know, I -- it seems like I wish that this was an environment where we could share our professional opinions with a little bit more ease than what it seems like we're able to do now.

>> Alter: I appreciate your candor and willingness to be here and the reason that I reached out to find out about your opinion was that I was trying to understand and unpack this goal that for me was coming at quickly -- I haven't lived in Austin for ten years so I haven't been involved in this discussion that long. I appreciate your candor on that. In your experience as a demographer, have any other municipalities been able to create this oversupply successfully with positive results?

>> My professional opinion is that there really are no best practices. In my opinion, no city out there has figured this out.

[3:42:06 PM]

Show me a vibrant city with a vibrant, healthy economy that doesn't have really expensive housing, I haven't seen that American city.

>> Alter: And the type of complex problem takes a lot of collaboration across practitioners. How much time were you given to review the plan and how were you involved as the demographer in this process?

>> Part of that is my own fault. I did work with them and it's -- my day to day is just so busy and frenetic I should have reached back out. My manager, Matt, that's something we've kicked around. That's culpability on our side. I don't want to say there was a low level collaboration because that's on us. I

would like to see city departments do more expensive cross-departmental work. And I think we could always do that better.

>> Alter: I would agree. I'm not trying to call anyone guilty, I'm just trying to understand whether we have the information we need to be able to put forward a plan that's going to solve the real problems that we have of displacement and whatnot, and try and understand how do we identify what those problems are so we can achieve that. And that's what I'm hoping to achieve in this conversation. It's not to put blame anywhere or anything, it's really to try to understand what it is we need to solve so that we can marshal our resources in that direction.

>> Mayor Adler: The -- appreciate your letter and I appreciate you giving us professional advice and I would say to you what I would say to the manager and everyone on staff is that we very much as a council, and I also in particular always want to get the best professional advice that we can get for staff. I don't expect staff to always agree on any issue and I recognize that ultimately the council has to make decisions and having everybody's opinion on that is really helpful.

[3:44:11 PM]

Yours included. In the email or the letter that you wrote, you said that -- you first start by saying the existing trend is that outside of Austin is growing much more at a faster pace than happening inside Austin.

>> Correct.

>> Mayor Adler: And part of the reason for that would be that it's getting harder and harder to be able to afford to live in the city. So people can't afford to live here, so people living here are having to leave and people who are coming to the region can't move into the city because they can't afford to move into the city. Our children when they get out of homes can't afford to live in the city so they are residents until they get out of the house. The trends that you put in the letter would assume they continue. But if we want to change that trend, if we want to make it more affordable in the city, if we want people to be able to stay here and not leave, our children able to buy homes here, then we would be talking about rates different than the existing rates, wouldn't we?

>> Correct. And I don't want to say it's outside the realm of possible to move this needle. I guess I just -- to me when I thought about my response to the plan, that was kind of big thing I wanted to point out is it's assuming a sea change in market forces that I think are maybe outside what we can influence.

>> Mayor Adler: And in some respects, you know, and I read that in what you wrote. That it would take real determined effort and real focus to be able to achieve that. And if there was another city we could look at where we could say this is how you deal with gentrification, boy, we would be all over it. But we

haven't seen a city yet that's been able to deal with gentrification or a city able to preserve the middle class presence in a city that's fast growing and doing really well.

[3:46:19 PM]

But I guess for me I am not ready to admit defeat to gentrification. I am not ready to admit that Austin has a future which is unescapably one where we lose the middle class. And I recognize if we're the first ones to do it, then let us be the first ones to do it. But I don't know any other way to do it other than to focus on the goal and to try to start using tools that maybe people have not used or to use more tools all at once that people haven't used. And to recognize what you've said which is it is not outside the realm of possibility that maybe we can do it and I would much prefer to follow a course of action based on the premise that maybe we can do this, and then to devote everything to have, our attention and energies to preserving this community than I would to roll over and say it's too big and we can't. Thank you. Ms. Garza.

>> Garza: Thank you, mayor, for those comments. I wholeheartedly agree. What I'm hearing from our demographer, mainly what I heard was his concern that it was overly ambitious. I want to point everyone to vision zero that we adopted into imagine Austin. If that's not an overly ambitious goal, I don't know what else. The goal is zero traffic deaths in Austin. And for me this plan is very similar to that. It's a goal, it's a big goal, but it's important. I don't feel this rush, especially when I hear, again, I don't want to repeat myself, when I hear it's been ongoing for ten years at least. I feel like at this point we're postponing the decision to P so I really wish we would just take the vote.

>> Mayor Adler: Any other further discussion or questions on the dais? Mayor pro tem.

>> Tovo: I'm happy to take the vote but I have a couple more questions for Ryan Robinson.

[3:48:20 PM]

>> Mayor Adler: Do you want to take the vote first? Let's take a vote on the motion to postpone. It's been moved and seconded. Those in favor raise your hand. Ms. Houston, Dr. Alter. Those opposed? It's the balance of the dais with councilmember pool off. Thank you, mayor pro tem, do you want to ask Mr. Ryan questions.

>> Tovo: Sure. Thank you, Mr. Robinson, for this information and -- and -- you know -- there are a couple things I want to say about it, but I'm aware several people have I think taken your memo and extrapolated from it in ways that I don't regard as particularly fair so I just want to acknowledge that. I mean what you've said is pretty straightforward and data -- I mean it seems to me you are working with

the data that you had in analyzing the trends and I just want to acknowledge that is what I took away from the memo. I did want to ask you about one comment that you mentioned region's projected population to calculate the number of future units could lead to unintended consequences. As I understand the point about the trend, if the trend is closer to what the city of Austin projections of 20%, then the number of units would be closer to 79,600.

>> That's where the math would take me and that's where I would say let's be more -- this is where I want to call on people who know a whole lot more about this than I do, my fear we would accelerate the move of our organic, older stock. That's a discussion you've had. You've kicked that around in work session. There's some specific math to it. So that's just my general concern. And I think you guys are past where I am on that general concern because you guys have heard that before. When I worry about unintended consequences, when I think to me that is more than what the market would normally give us.

[3:50:30 PM]

Again, we can move that, we can change that. My fear is we would accelerate the removal of our precious older organic stock. I could be wrong about that.

>> Tovo: I appreciate that.

>> That's my fear.

>> Tovo: And I appreciate you both making that comment and acknowledging it may or may not be right, but based on current projections the need has been lower than -- anyway, I just wanted to highlight what the unintended consequences could be.

>> To the point, my director Guernsey helped me with that. Ten years is a goal, maybe it takes us 15 years to get there, and I'm not suggesting we change that, but remember, you know, mayor Wynn's goal of 25,000 people by 015. We knew we wouldn't make it but we're on on way. Maybe as a numbers guy I get a little caught up in do we really expect to have that in ten years and that's the intent of my memo. I don't want to say it's impossible, but it would really be a sea change in our affecting regional market trends.

>> Tovo: And you -- and as -- and then you have -- and nobody has tucked about this yet, the short list of strategies and I think these are in sync with what is in the strategic housing plan, a flexible housing code that -- supports creation of housing types, unit densities. There were a couple but let points I wanted to highlight because as we begin talking about the maps as a community next week, I think all of these bullet points will be relevant. Our land development code that promotes the preservation of core anchor neighborhoods but gives homeowners the chance to create in fill stocks like accessory dwelling units.

[3:52:34 PM]

A third one, puts the importance of organic rate affordable housing over the creation of new housing stock. I wanted to offer you an opportunity to explain that point. I think it's a very critical one and it's -- I had a conversation yesterday with our code consultants about that very point. I don't know -- I am very interested in as we move forward a land development code that does that. I will leave my comments there.

>> I had a huddle with the housing team and I think more so than I may have realized in my initial assessment, they are also big believers in the preservation of the older stock. But I would think maybe that's one of our hyper monitor points is that let's just be really, really vigilant that we don't let that slip away. So we roll that into some kind of monitoring aspect to the plan, I don't know. But that -- been here since 1959. That's one of my fears since we're talking about how long we've been here.

>> Tovo: And I think there are certainly recommendations within the strategic housing plan that talk about the preservation of existing affordable housing and I think too this becomes a relevant comment as we look at the new development code. I saw that as really a recommendation that relates directly to the process we're about to do and in line with the spent of the strategic house -- intent of the strategic housing plan as it's currently drafted. Thank you for the insight.

>> Mayor Adler: Ms. Houston.

>> Houston: Before you sit down, I want to thank you too. I know that you are thinking about not being here, I don't know when that is, but it's been a pleasure to work with you. You've always been balanced and fair and neutral and I want to tell you how much I appreciate your work.

>> Mayor Adler: Mr. Casar.

>> Casar: In reading your memo, I had a similar thought that I think it was accurate the trends, describing the trends headed on and I think the mayor summarized well how we're trying to buck some of those trends.

[3:54:42 PM]

To the mayor pro tem's point, I think that the housing plan has a lot about preservation of existing affordable housing stock. And in fact the majority of my constituents live in that very housing stock. The only part that maybe I'd ask to you comment on, you can agree if -- disagree, but I think we need some significant amount of new housing stock in order to help by us the time and the tax base to invest and

preserve some of the older. And so I do see how if we decide we're going to put a luxury office park and luxury housing on top of existing affordable housing by intent that is good and rehabilitative, that would put those two in direct conflict, but I don't necessarily think there's a direct conflict between new housing stock and well thought out ways and how that can help assist in preservation efforts.

>> I agree with that. I did not mean to suggest we don't put a lot of time and, making it too binary, but if we do that only after we have done everything we can to preserve the organic older stock. Not one or the other, but maybe a little -- you know, but more attention to the preservation than new stock.

>> Casar: And your observation about how we need a transit city if we want to bring folks into the city. We're talking about the housing plan. Talk us through your thoughts on that.

>> When I look around the country for best practice, I look at the country's biggest city. New York City has got incredible levels of income differential, but it works. And it works because you can get on transit and it's the great leveling agent. I've got a kid in Brooklyn who works in Manhattan. These three blocks from a subway line. I think we can mitigate this notion of housing differential across metropolitan space, but the only thing that really works is the ability to get that mobility as part of it.

[3:56:52 PM]

We're certainly stepping our way with a mobility bond, but it's got to be outside the city. I go back to this notion we're just a cookie cutter in this ever expanding piece of dough. I add that because to me that is the only thing at the end of the day that really solves it is recaps it regional transit because you can't really have everyone on the same point residentially.

>> Casar: And I think while we may not have the benefits of being able to put together an urban growth boundary like other states allow cities to do, not only do we need high capacity transit, but building wider and wider highways and roads can actually induce demand outside of the city. So obviously keeping our city more affordable can bring folks in or keep people from being pushed out, but also our continued expansion of roadways only gives people with property rights greater property value at the end of the day on the outskirts.

>> I would agree with that. And somebody mentioned campo and capcog. Since I'm up here I'll take the chance. We have to bring those two entities to go. Npos and cogs belong in the same organization. That's the north central Texas model and that's one thing keeping us from achieving more successful regional transportation outcomes.

>> Mayor Adler: Thank you very much.

>> Thank you.

>> Mayor Adler: Council, it's 4:00. I would suggest that we have all the public testimony on this issue, that we hit some of the others so we can let other staff and public go. We have --

>> Houston: I think we have another motion on the table. Mine failed and so -- did he vote on that? Yes, we did. And I voted no.

>> Mayor Adler: That's okay. We have three things. Let's see if we can deal with the three things that we have left. Item number 39, the Barton creek trail head, there are no people speaking on that issue.

[3:58:57 PM]

Is staff here for that? Just a really high level -- lay it out.

>> Yes, sir. Good afternoon, mayor and council. My name is Tony Arnold, project manager with parks and recreation department. We're here today to offer information on the zilker metropolitan parks' proposed Barton creek greenbelt. After this presentation, which will be short, we would be asking to grant a variance to allow for a site exemption for impervious cover limits and control to allow us to build this Ada accessible restroom and other facilities in the critical water quality zone.

>> Mayor Adler: Does council need the presentation? Could we>> Mayor

Adler: Does council need a presentation? Is there a person to move for a passage of item 39? Is there a second? Ms. Houston? Are we ready to take a vote? Those in favor, please raise your hand? Those opposed? Everyone on the dias. Ms. Poole off. Thank you very much.

>> Thank you so much. Have a wonderful evening.

>> Mayor Adler: Okay. Item 40 is an affordable housing issue. Is this being postponed?

>> Yes, ma'am, Rosie truelove, the applicant has asked the item be postponed to the may 4 council meeting.

>> Mayor Adler: Okay. There are three people waiting to speak on this. If this gets postponed, do you still need to speak, Mr. Pena? Thank you. Mr. Geller? Mr. Daniels? Those are the speakers. Is there a motion to approve -- postpone this item 40 to may 4?

[4:00:57 PM]



A motion? Thank you, councilmember Garza, second? Mr. Renteria. Discussion? Those in favor of the postponement, please raise your hand? Those opposed? Passes unanimously with Ms. Poole off of the dias. Thank you very much. That gets us then to item number 41 which is the Merck deal.

>> Good afternoon mayor and council. David Culligan with economic development. As you recall, we had information last week where we provided more information about potential agreement with Merck corporation. Staff is here today although we have provided quite a few of your answers for some of the questions that were provided last week. We can review any of the information or we can answer any additional questions you may have this week. We have members from the community and for the company that is present for the company today as well.

>> Mayor Adler: Is there a motion to approve this item? Ms. Houston makes a motion to approve on 41. Is there a second? And to that second to that motion? Mayor pro tem seconds that motion.

>> Mayor Adler: I think there was a change that you handed out? Company's obligations.

>> A change after speaking with the company regarding your request to include language and the agreement that would help to memorialize some of the community impact goals and what it is that the company described during their time with you and through the business information form that spoke to more of the community-related projects in terms of public health as well as workforce development.

[4:03:00 PM]

>> Mayor Adler: Do I understand that this item 110 is incorporated to the motion? Ms. Houston? Yes. That's part of the pending motion of that objection? Thank you. Yes.

>> Troxclair: I just wanted to thank Mr. Culligan and the company for taking into consideration the concerns to capture those discussions and expectations for being part of our community. Thank you.

>> Thank you.

>> Mayor Adler: Yes, councilmember Garza?

>> Garza: I have a question. This said they need to report. This is just saying if they do do something, they report it. But this doesn't say if they don't do it, they lose any economic incentive, is that right?

>> That's correct.

>> Garza: So it doesn't require them to do anything. It just says if you do it, report it.

>> We're requiring a report on an annual basis. The report is for city use to better understand the community and how it is engaging in this project.

>> Garza: But they are not required to do any of this. .

>> Correct.

>> Mayor Adler: More discussion on the dias? Mayor pro tem?

>> Tovo: I want to follow up on the issue that my office communicated with you about. We have been talking about an amendment that would restrict Merck from asking for a property tax abatement from the -- protesting their property taxes with Travis central appraisal district and I think you were going to talk with the company about whether they would be able to to incorporate such an amendment to the agreement.

>> The company is not able to incorporate that into their agreement. They will be leasing space. They will be looking to make agreements on the two locations. But not having a central location yet, they did not feel comfortable making that agreement.

>> Tovo: I want to flag that as an item as we discussed moving forward that this council hasn't had an opportunity to talk about that proposal.

[4:05:04 PM]

But I do think our council should re-evaluate whether that's a requirement that we want to put into our chapter 3 agreements. I think I mentioned that I had brought that forward to council and it was substantially rewritten and the revised version of that has been incorporated into this chapter 380 agreement. So there will be a clause -- there is a clause in the agreement that says if there is a commercial -- if there is a property tax challenge and it results in a lower property tax, that the incentives would be adjusted accordingly. It's actually not relevant in this case because they're not getting a property tax based incentive. But I do think going forward we should have that conversation as a council. Because part of -- and the rationale -- we may not need to talk about it now. But the rationale is one of the things we look at on the matrix and the information is what -- what anticipated -- what property tax we can anticipate receiving as a city with the location and so again I'll thank you for that feedback about whether that amendment is something they would agree to and, again, I'll just ask that we have that conversation as a council in the future as a policy matter rather than in the context of this case.

>> I would join in that request for that -- because it's come up several times.

>> Mayor Adler: I would ask council to specifically address for us as part of that conversation whether it's constitutional for us to ask for it when there is, in fact, an pass transfer, whether there is a question about whether we can ask for that when it's not. As this concern, I know that the Merck officials are in the room. And I just wanted to say if this pass is welcome, there was some real strong presentations a

week ago about involvement with communities that Merck has been in in the past. The opportunities that exist here to build pipelines with ACC.

[4:07:09 PM]

We're real excited at those opportunities. That would make you a strong contributing member of the community, the potential that this has to anchoring in the innovation zone is real important and a real plus to the city. So I just wanted to say thank you and if this passes, you're welcome. Any further discussion? We have speaker, thank you. We have ten speakers. In fact, we have 41 speakers and all but two have signed up for this but not all of them need to speak. All of the time to speak and certainly don't feel like we need to. Mr. Pena, you want to speak? Come on down.

>> Mr. Mayor, can I make one statement?

>> Mayor Adler: Yes.

>> I want to thank our staff as well as members of Merck for including the information that captures what we discussed in terms of the community partnership. I think this's very important. I think that reporting that on an annual basis will help our community understand how those partnerships are working and so I appreciate the staff putting that into our agreement. Thank you.

>> Mayor Adler: Thank you.

>> Gus Pena, native austinite, east fifth street. Our former neighborhood is full of apartments. I want to make a note that land and engineer has retired already told me it's still contaminated. So when we do thing, when we approve things, make sure the land usage is clean, not contaminated. I wanted to say about Merck and I went a little bit off tangent.

[4:09:13 PM]

If this passes and the reason I will support it in part is because what will it bring to the city of Austin? What will it bring to the coffers? What will it bring to an environment that really is not vibrant for the poor, the have-nots, job, economic development, that's important to me, to the community. I may not be here next week. I'm an old -- I'm a Marine Corps veteran. If I leave, I will -- I've been here 64 -- 65 years now. And I just want for the kids to have the best opportunity they could have and a vibrant community, a environment that is clean for them. When I was growing up. And something economically safe for my children. My grand kids, my nieces and nephews. My baby, Sophie, 2 1/2 months old. I want something good for her. You met my baby Sophie, I brought her over here, anointed in front of the

council. I think of that, councilmember Garza, because you have a new child also and children and for my baby Sophie, I want the best for her. And I know my friends will disagree with me and they won't be supportive of me. I hope they will. But I hope this is a good economic development. I'm going to support it. I -- I trust Mike Rawlings. I've known him for many years. He's never told me a lie. Except that I lost a lot of weight. No, man, I'm still heavy. But I want to let y'all know. I thought about it and I struggled. We're going to support it. I know some of my friends that know.

[4:11:15 PM]

But let's get the best bang for the buck, buck for the bang, whatever it is. You know? And let it be a benefit for Austin. I'm leaving it at that. You vote whatever you want to vote your conscious. Y'all are intelligent. Mr. Casar is more intelligence than I am. Do it for the best interest for the city of Austin and I'm going to look back through the housing. We need more housing if we're going bring more company employees. Thank you very much.

>> Mayor Adler: Thank you. Christopher Rios? Janet wachow is on deck. >>.

[ Speaking Spanish ] My name is Christopher Rios. I've been a long-time resident in Austin, Texas. Pleasure to speak with you all. Speaking here on what have of the greater Austin hispanic chamber of commerce. I'm chair elected of the hispanic chamber. We fully endorse this proposal to bring an institution and company as prestigious as Merck to our Austin family and community. We believe in the creation of the Dell medical school in 2012, Travis county voters approved funding to bring innovative game changers to this community. It's good for economic development, it's good for opportunities for our youth. A sizable amount of these jobs will be available to individuals with two-year college degrees. This is great opportunity for the youth and the ACC campuses with that, I fully hope that the council supports this to ensure that we are bringing and attracting positive game changers to innovate in our health care delivery. Because a healthy delivery is a prosperous community. And with that, I will log the rest of my time.

[4:13:15 PM]

Thank you very much.

>> Mayor Adler: Thank you. Janet wachow?

[ Inaudible response ]

>> Mayor Adler: Thank you, Debbie cane? Bob Bowen?

>> Mayor, I'm Bob Bowen, temple shalom, and a board member of capital idea. The position of Austin interface with regards to taxing incentives is clear. It's working out the details of the city's economic incentive policy several years ago. The position is consistent. If any company wants to locate and relocate in Austin seeks incentive, they must comply in certain requirements. Among the living wages is defined by agreement of regular and contract employees and the web compliance and insurance benefits for all of the employees, safety training, workman's compensation insurance. That's all covered. We are disappointed that the local hiring goals for Merck employees are not a part of the application. We recognize, though, that Austin needs a greater supply of skilled technical workers. Capital idea has successfully increased the supply of skilled technical workers, but many more are needed to meet local demand. We encourage Merck to work with capital idea to ensure an adequate supply of trained employees to meet the community needs. Beyond the formal commitment to full-time jobs contained in the 3-a agreement and the other investments committed, Merck has indicated to me they need to contract for many additional jobs.

[4:15:29 PM]

And hear from the rules for contracted employees. The contracted jobs range from service to administrative construction and technical. Austin will appreciate the opportunity to work with Merck to make sure the jobs are locally and represent the diversity of Austin. On behalf of Austin interfaith and the 36-member institutions representing thousands of families in Austin, we thank you for this opportunity to address the council. Thank you.

>> William rice?

>> Good afternoon, council. Thank you for the opportunity to be here. I'm bill rice. I'm the senior vice president of clinical innovation at St. David's health care, the largest provider in central Texas. I'm the former chair and current board member for the cancer intervention and research institute of Texas which is the second largest cancer research funding organization in the United States. All of the funding goes to Texas. I'm also a chair of a new organization called the Austin health care council which is an organization that is formed and intended to bring together siloed organizations and entities under a single platform to address community needs. So I mention those three things because in my professional life, I'm a physician by training. I have the opportunity to think deeply about molecules and cells at the level of cancer. Of organs and human beings in the systems of care in St. Davids, and underserved safety net and community as I think about the things that I work on in the Austin health care council. And coincidentally, when I think about the most important things to accelerate progress at all three of the levels, it's digital health.

[4:17:39 PM]

It's the opportunity to computationally model different entities, different organ systems, whatnot. It's the opportunity to use computational modelling to create the predictors of adverse outcomes and it's in the -- it's the opportunity to use computational modelling and digital health to provide better care across the spectrum. So I wanted to say that I support the motion before you because we think that the fastest way to celebrate progress in clinical medicine and all three of the levels, the most -- the fastest way to impact care and those who have the most need, those that are part of the safety net, certainly those with chronic disease through care systems, community health, and certainly cancer, all of those are most accelerated the progress knows are most accelerated with digital health and computational modelling. So we encourage you to support the motion before you on the basis of that. I guess I finish with, you know, there's a certain harmony with the digital health initiative with the technology community in Austin. You know that certainly the ai space here in Austin is emerging hot spot and, you know, all of these things you talked about are directly or indirectly to the ai. Thank you for the opportunity to be here.

>> Dr. Rice, thank you. Thank you for taking public testimony on this. I wish I could come here cheerleading this deal the way everyone else seems to testify on it is. But I don't think there's any way to describe this deal as anything short of disgraceful. Let me give you one number that sums up everything you need to know about this deal.

[4:19:41 PM]

\$171 billion. That is Merck's current market cap. As a point of comparison, I looked it up this morning. That's the equivalent of the gdp of New Zealand. This is who we're going to give a tax break to? Now the innovation zone at the Dell medical school sounds like a lovely idea and I think that good things can come of it. But I also think that when the market cap of \$171 billion, Merck can pay for it themselves. Think about the homeowners, think about the person trying to start a business in their -- in their living room. Think about the person selling stuff on E tsy, why should that person barely making ends meet have to subsidize the development that's going to happen either way with a company that's going to make -- that is currently worth \$171 billion? I don't see any -- now you say this is going to create jobs. You say it's good for innovation. These figures, when ever these deals come up, always get bantied about, and they never come back nearly what they claim they're going to be. So I can count votes. I think I know the way this is going. But at the same time, I don't think this is a good use of public resources. And if we are going to go ahead and pass this deal, I really don't want to hear anyone on this council ever again complain that we may be looking at a budget cut for something in the future. So thank you for taking your time for listening to me. That's what I have to say.

>> Mayor Adler: Jesus Garza?

>> I want to add my voice to those who have spoken for this. They agreed on something. Just hope they do, for this one.

[4:21:42 PM]

>> Mayor Adler: Thank you, Tamara hujs. Is she here? Take your time.

>> Thank you, honorable council people. It's an organization I represent. I'm executive director. We provide science, technology, engineering, science, and math programs for girls. Some of you may be aware of our work. If so, I'm grateful. We were founded nearly 20 years ago in Austin. Since that time, we've developed nationally recognized out of school programs such as girls start after school and summer camp for the year-round programs for girls. The chief commitment is to provide support and preserve girls in central Texas but you may wish to be aware we're reply kalting across Texas and nationally. We're able to sustain and scale our work because people view what we do as central to their interest and nurture and diverse and rich work voice. We're grateful for a dedicated group of individuals, foundations, and government entities like nasa, it's corporations who understand the role the most. It's companies like Merck that place diversity among the core values that particularly exciting for us at girl start. 100% of girls are underserved in S.T.E.M. 80% plus of girl start after schoolgirls come from a nonwhite or low socioeconomic house hold. And for us hearing the core value diversity Merck has clearly made is very exciting for us. S.T.E.M. Careers provide a huge opportunity not just for girls but for girls and future families since 60% of U.S. House holds have a woman as sole or co-breadwinner. We have the opportunity to meet with the associate vice president and mark Sylvester of Merck recently. And we were very excited. It's evident to us that they have a strong commitment to the same goals that we share. I think it's worth noting that they have an ambitious yet achievable set of goals for diversity.

[4:23:47 PM]

Seeking to have 50% of your S.T.E.M. Workforce be female is really notable. What we've also noticed from our own research is that's achievable with regard to Merck with their innovation hubs and workforce generally, they have accomplished a great deal of diversity particularly with regard to women not just in marketing, hr, or but in true S.T.E.M. Jobs. We're excited because if Merck will come to Austin, girl start girls will have a great option when considering what to study and where to work, and perceive Austin as a place to stay rather than leave after secondary or college. We know girls have great ideas and helping people is a huge inspiration to many of them. Biotech, innovative health advancements fit squarely in that area. We know there are many reasons why Merck opening an innovation hub in the here and now with regard to the support that you heard for the medical community, the medical school, and health generally. But we know a company like Merck in Austin will

open doors as well as open futures. So we at girlstart encourage you to do what you can to bring this national important leader to Austin. Thank you.

>> Mayor Adler: Thank you. Those are all of the speakers that we have. We're back up to the dias. We have a motion and a second. Any other comments? Yes? .

>> I'm not sure this is a question for Mr. Culligan or the company. Since we've been discussing Merck and the company name became public, a lot of people approached me about how to get involved getting forward as nonprofit partners or as contractors or as applicants. I'm just wondering if someone could let people know who to contact if they're interested in being involved should we proceed with a positive vote and they decide to come here.

[4:25:50 PM]

>> I've been told that person is in the room today. Amy herrick is actually the lead for hr for technical recruits out of Merck. So if they do choose to be here, should it be the representative that would look to connect the individuals to.

>> Is there a contact of any kind that we can share?

>> I will send it to your office, or everyone's office if you like.

>> Thanks.

>> Mayor Adler: Okay. There's been a motion and a second? >>.

>> Houston: Just before we close, I also appreciate the fact they're willing to work with the title I schools because in order to get the pipeline started, we have to start with a younger age and the willingness to work with the title I schools is much appreciated.

>> Mayor Adler: Yes, Ms. Garza?

>> Garza: I'm going to be voting no on this. So many people in this room that I deeply respect that I wanted to briefly explain why that no. I want to say I realize there's never a perfect package we vote on here. My yes votes don't signal that I agree with everything in that. With that issue, my no votes don't signal that I disagree in everything whatever that issue is. We talked about my dad's story last week and one of my cry baby moments and I'll try not to repeat that today. But my biggest concern is the type of jobs that this company is bringing. For me, the priority is jobs -- is as many jobs as possible that help our low and middle income families. And I don't see this in this package. So it's hard for me to support it. I look at the other side, which is the health side, the community benefits, yet, they are not required to provide any of those. Yes, they've provided it in other places that they've been, but they are not



required to provide any of those. Most of the speakers who spoke here today spoke about those types of benefits and they're not required to do that.

[4:27:53 PM]

Back to my dad who -- you know, I talked about our successes as a family. And it was purely because somebody with a ged was able to get a job that provided great pay for my family, health care, incentives that encouraging him to go back to school. I want to tell the rest of the story because he's not just a ged recipient. He became a firefighter and that job allowed him to continue -- to continue the education. He started taking classes. He had to take remedial high school classes to get to community college. He transferred. Then he got his college degree two weeks before I graduated from high school. That job, a ged recipient, allowed my family to have the successes that it did. I think there are wonderful things in this package. I cannot support it because for me a priority is bringing jobs to this city that help our middle class and low income families. There are other companies here that do not need any incentives to do all of the wonderful things that Merck is promising to do. One that comes off of the top of my head is HEB. They do so much for our community and, in fact, we've tried to give them incentives to build grocery stores and they're like we don't want your incentives and they say we're going to do more for you because we know your issues. So those are the reasons that I cannot support this package.

>> Mayor Adler: Okay, Ms. Troxclair?

>> Troxclair: First, I just wanted to say that I do -- I think that this probably will pass. I want to be one of the first to welcome Merck to Austin. They'll be a great addition to our community and an innovation driver that will provide jobs and will be a great anchor for the future growth of great jobs for lots of austinites. However, I also am not going to be able to support it today.

[4:29:55 PM]

It's been a difficult decision for me. Because I also see the many benefits of having this company in the community. For me, this dias and the rest of the community knows, I'm a constant advocate for lower property taxes and making Austin more affordable and taking every action that we can to reduce the cost of living in Austin. And it's just really hard for me to -- so in the midst of the affordability crisis, it's just too difficult for me to look at taxpayers and tell them that instead of reducing the property taxes that the city chose to give incentives for a for-profit company. So I -- if it wasn't for that, I would wholeheartedly endorse, you know, your move to Austin and I just want to say that I will continue to work with the chamber on what we can do to make it easier to do business in Austin so that the small, medium, and large businesses can continue to grow. We, as you all know, we have major issues when it

comes to permitting and development and I think it's really difficult for us to get a business off of the ground here when you're going through all of the city red tape. So this council -- something that this council is committed to working on. I'm going to continue to work with the chamber to support their membership and to make sure that we have a thriving economy and a growing job base for the future. So, thank you for understanding my reasoning for not being able to support this today and I look forward to future collaboration on many other things to make Austin the great city that it is.

>> Mayor Adler: Anyone else before we vote? Mr. Casar?

>> Casar: For similar reasons as councilmember Garza laid out. You want to explain my vote. I do recognize the importance of Merck's potential to help innovate the way that health care delivery happens, especially collaboration with the medical school and to help folks that can't afford drugs and I recognize the importance of the workforce development partners that have stepped up to the plate.

[4:32:13 PM]

I think as the mayor laid out, 80,000 just over \$80,000 a year seems to be a fair price for some of those partnerships. However, this vote also activates a \$6 million incentive from the governor's office at a time when up at the capitol they're talking about cuts to basic services, when there is not sufficient funding supposedly for public education system. And because of the historically political nature of these sorts of grants from the governor's office for me to vote yes to something that activates that, I have to see a really strong benefit for folks who need it now. And our need is not like it was in the recession just for any kind of jobs. Really needs to be incentives that ensure shared prosperity as much as possible. So that's why I won't be able to support it today.

>> Mayor Adler: Okay, take a vote. Those in favor, raise your hands? Those opposed? Troxclair, Garza, and Greg. It's Poole that's gone. So on a 7-3, one-vote, this passes.

-- 7-3-1 vote, this passes. Thank you, welcome to Austin.

[ Applause ]

>> Mayor Adler: All right, council, that gets us to the last two items. We're back to the strategic housing plan. We have a motion on the table. A motion on the table. Discussion? Anyone want to lay out some of the amendments that are here?

>> Mr. Mayor?

>> Mayor Adler: Yes.

>> Kitchen: Can we talk about how you are going to go through this. There are a number of amendments? Are we going to vote on each one?

>> Mayor Adler: I think so. That's what we'll do.

[4:34:13 PM]

We have the document now with the changes that are incorporated from the staff. That's the base document. And right now I think we should just run through the amendments.

>> Mayor, I have questions on what staff is recommending. So we're including these in the base motion?

>> Mayor Adler: We did that already. After the motion was made. I asked if we wanted to include the staff -- and without objection, they were included. We can certainly change that.

>> I don't recall taking that second vote? Two questions -- first one -- there they are. The second item about family-friendly housing about the very end of the change paragraph it adds the phrase support under the old schools. My concern with adding that phrase, one is the crossing of the streams between the city's jobs and the school district's job. But also, this would necessarily put housing in one part of it. And we are trying to get housing in all parts of town, that would mean put housing where schools are either at a level of enrollment or a high level of enrollment. So my concern with this phrase is that it necessarily directs staff or directs this plan to housing in only certain parts of town. And, I think, the reason those schools are underenrolled is not about the amount of family friendly housing that surrounds those schools. So it's half policy and half question.

>> Tovo: Congress member kitchen and have staff the opportunity to respond.

>> Kitchen: I want to know what page you're reading from.

[4:36:13 PM]

I'm trying to follow. Page 2 of that one?

>> Page 2, the second block of changes.

>> Kitchen: Doesn't it reference a page in the --

>> Page 20 to 21. But it's adding -- it's adding language. So they're changing and adding language.

>> Tovo: We have more copies of that document if you have anymore.

>> You're looking at the planning commission? Does it say? Is this the planning commission? So it would be --

>> So where's the staff on this? Maybe I'm conned -- confused.

>> This is a different document I'm working off of.

>> Right.

>> It's that recommendation -- so that was a recommendation that was added. Basically in response to a planning commission a planning commission recommendation and the general idea was to -- was to help provide more family friendly housing near enrolled schools. But you are correct in your assessment.

>> Tovo: I dropped the ball there for a minute. Did you have a further question? Cope

>> Kitchen: I apologize. Will you tell us again the concern about those including that?

>> Right, so if we include in the housing plan that we should be building family-friendly housing and targeting areas around enrolled schools, my first concern is that it creates a situation where we are trying to plan around the school district's plan.

>> Tovo: Mm-hmm.

>> And we don't have a voice in their facile the is plan. So it's one job and the other job. But more importantly, I don't think the lack or the presence of family friendly housing in underenrolled schools is the reason they're underenrolled nor will the construction of that housing solve the enrollment concerns.

[4:38:22 PM]

I don't think the housing is why the schools are losing kids.

>> Tovo: Councilmember kitchen?

>> Kitchen: Well, okay -- sorry. I'm going to disagree with you on that one. I don't -- I'm not suggesting it's the only reason. But it can be a factor in some places. I read this paragraph as a whole, to me I'm not reading it as targeting areas where there's underenrolled schools. I'm reading the last sentence that says it could help support underenrolled schools which it could -- it could, not saying it will. I'm only saying that you can only target those areas, so --

>> I'm fine with moving on. The fact that this says "This could provide" is sufficiently less prescriptive. But I did want to daylight that, more so for that. And then I'm going to take a pause to make sure that my notes are in conflict or not in conflict.

>> Tovo: I just wanted to speak to this issue as well. I do think the work that the city has done on the children and family task force and other task forces do suggest family friendly housing is a component in

that -- though certainly not the only component. But I also think the support for underenrolled schools is very in concert with several different council policies that have been adopted in the past about working with our school district and being good partners -- working with the school districts, being good partners, and really trying to work together more closely on planning issues so when there are neighborhood -- underenrolled neighborhood schools that we're looking at ways that we can potentially impact that education through a positive way through planning choices and some of the other zoning decisions.

>> And for me it's as much about discouraging housing in areas that have schools that are at capacity, which is nearly every school in my district.

[4:40:28 PM]

But I still need to do -- my district still needs to do its part in building housing. So I think that the recommendation that we should be doing to help with underenrollment also works the other direction, that we would not build that housing in areas that don't have -- I'm willing to move on. My other note is on -- it's two sections that seem in conflict. And I want to clarify. On page 16 change. And I think they alter one of the amendments, which solves the conflict but I wanted staff to solve the conflict. Page 16, 25% of new income and restrictive housing should be in high income areas. Page 22 to 24 says 25% to moderate to high areas. So I'm curious if opportunity area, high and moderate is a defined thin that's on a map somewhere or is it just a description?

>> It is something that's on a map that's often used locally that's called an opportunity map and it does have different -- it does define areas of moderate -- moderately high opportunity, high opportunity mismatch that you state was a staffing error. So I think that they should match. But those are maps that actually should be updated and we are looking at potentially updating those or creating some newer opportunity maps based on metrics that are important in our community.

>> So my question for staff is, did you mean moderate to high? Or did you mean high?

>> Well, we discussed both, which is obviously why they don't match. But we're comfortable with high opportunity.

>> Okay. Thank you.

[4:42:28 PM]

>> I want to clarify that's councilmember Poole's amendment that you're referencing that I think councilmember tovo may be making the motions for.

>> I wanted to clarify something, though, I heard the staff say you are comfortable with it. Do you recommend that or do you recommend -- which -- sometimes I hear folks say they're comfortable but that may not be the recommendation.

>> We would like them to match and align. We are recommending moderate and high? Correct. One of the things that this is -- this is an important point. One of the things that we want to stress is that when we're looking at where housing should be placed, we are also looking at areas where we could see gentrification. The policy would be to add that metric to look at that.

>> Troxclair: Yes. So basically if you have the moderate and high, it opens it up to a -- to a broader geography.

>> Casar: So your recommendation is for us to say 25% in moderate and high? Or is it 25% just in high? I mean, it's one way to conceptualize that for us, maybe how will that shift the way we're doing things now.

>> So that criteria is one of the criteria that we use for scoring in our rental housing program. And do we want to probably get a printout of that map to show exactly how limiting it is when you go from moderate and high to just high, we understand that the purpose of the planning commission motion was to ensure that -- that actually having the goal near transit did not rule out also having a place where there wasn't as good a transit access.

[4:44:35 PM]

So if -- if council is willing, we can probably have somebody pull up that map. And we could come back to that specific question.

>> Casar: And looking at that map, it looks to me that the moderate opportunity areas are the areas like Mueller, around McAllen high school, and -- and it looks like here just off of manor road, mlk at the highway. So it looks like there are some -- there's -- they are mostly low-opportunity areas and high opportunity areas and the moderate opportunity areas are a few neighborhoods like that. But I guess the question for me would be -- first I would be most comfortable with going with staff recommendation, and second I would be most comfortable also knowing if we're sending 25% in high opportunity areas, is that dramatically shifting or significantly shifting our resources? And if we do moderate and high, is that also a significant shift or not? Just so I know which one to do.

>> I would like to confer with staff for a couple of minutes on that so we can move forward and come back with an aligned recommendation so I'm taking all of the factors in to consideration. What I will say

is it has been brought forward over time that the moderate opportunity area is one that we need to very strategically look at because of the potential gentrification issues.

So --> Mayor Adler: Should we try to work through some of these amendments? Do you want to wait for them? They confer?

>> I believe council Nebraska kitchen and I are moving forward. Councilmember Poole drafted amendments and is unable -- she's not here today, she's out on city business.

[4:46:39 PM]

That is one -- I think I'll leave that one for now and wait for the staff to come back. We'll pick it up in a bit. Maybe I could take up my other one which is maybe --

>> Casar: The truth is I hate to consider any of these while they're talking because we're all going to ask them what they think about the amendments. Why don't we lay them out and talk about them. Before we do that. We have some guests in the chamber.

>> Houston: Let me help, we have guests in the chamber. I would like to acknowledge and welcome the class from the theological seminary today. They're studying the bible, the public square, and the public good which analyzes the ways that religious commitments and values relate to the matters of public life. The professors are Dr. Gregory Cuellar and Dr. Sante Todd and they're sitting over here some place. Welcome to the city council meeting.

[ Applause ]

>> Y'all don't have to all jump at first. Does anybody want to propose some amendments?

>> Houston: I have a quick one.

>> Mayor Adler: Okay.

>> Houston: It's been passed out on the motion sheet. I move to amend the strategic housing plan, striking the word "Plan" and replacing it with "Report" making it the strategic housing report."

>> Mayor Adler: Been moved to change plan to report. Is there a second to that? The plan against staff? I'm sorry, we have a motion. It's moved to the region. So this is now an amendment to the plan as incorporated to the staff.

[4:48:42 PM]

So it's been moved and seconded. This amendment. Any discussion on the dias? Ms. Houston?

>> Houston: I think one of the speakers said it earlier today. They've done an amazing amount of work over many, many years. Almost generations I fear by now. But it's not really what we look at for a strategic plan. We had many of the papers in the housing order what a plan should look like. And we're missing about three of those five to six strategies. So I think if we rename it, it won't be looked at as something that is going to be -- that the goals are there -- there's goals missing there. And in how to deal with gentrification. We talked about it. There's no goals set. My suggestion is we rename it to a plan and if we're going to adopt it to the imagine Austin, it may not be as integral to that comprehensive plan as we said the strategic plan.

>> It's not one that we can report. I think what's been presented to us is comparable to the other plans that we have adopted that are part of the imagine Austin. And I don't want to change the name precisely because I don't want to change the impression that it's a plan. Because I believe it is a plan. I believe it is one that it's important to start working on. So --

>> Garza: I feel like the disagreement for all of these amendments and much of this is -- some of us feel it's a goal and some of us feel we need to be extremely detailed, so I would propose if changing it to "Report" would mean there are no more amendments and it passes, I could support it.

[4:50:56 PM]

So I guess I would wonder if -- if changing it to "Report" would mean no other amendments are proposed?

>> Houston: I would love to be able to say that that would be true. But there are ten very strong independent people on this council and there's no way that I could control that.

>> Garza: Well then I'll be more direct. Mayor pro tem -- if changing this to report, would that -- would that make you pull down some of your possible amendments?

>> Tovo: You know, at this point, I -- I have communicated to many people who had concerns about it. I just -- I couldn't.

>> Garza: Fair enough. I was trying to be efficient.

>> Kitchen: So this is where I think it's so important to try to strike a balance across the concerns. So we've been giving this some thought. We've heard some balance about what to do to make folks more comfortable. So we've been looking around. So my recommendation would be that we take a look at something with a connotation of both. And so we were looking at potentially a word around "Blueprint" and so there has been some conversation around documents like this serving as a blueprint and that would be something that we would recommend and I think it strikes a balance and would offer that



as -->> Mayor Adler: So let's see if we can move through the amendments here. Do you have any objection to changing that to report?

>> Houston: I don't, and that is an excellent way out of this conundrum.

>> Kitchen: Hopefully we can do a few more of those.

>> Houston: That's why you get paid the big bucks.

>> Mayor Adler: Those in favor of blueprint, raise your hand, those opposed? Everybody, except Ms. Poole.

[4:52:59 PM]

Will abstain. Blueprint. All right. Who wants to go next? I love this speed with which we're just barreling through this other stuff. Yes? Troxclair?

>> Troxclair: I think I have what I -- I have what I think will be a quick amendment. There -- I passed it out earlier, it is just adds part 2 to the ordinance that we're adopting to the strategic plan that the city manager shall report to council set out in the strategic plan in the past two years and specific steps of achieving the goals in the year ahead. I want to make sure that whatever it is we're adopting we're just following through with it.

>> Mayor Adler: A motion. Is there an amendment proposed? Is there a second to that amendment? Ms. Houston seconds that.

>> Houston: Going to have to slow the speed down. We have so many pieces of paper we're trying to find them.

>> Mayor Adler: All right.

>> Mayor Adler: On the one that says councilmember troxclair in the upper right hand corner.

>> Troxclair: Mayor?

>> Mayor Adler: Yes.

>> Troxclair: I have a quick question. I assume in the past year, you don't mean we're going to look backwards at this point and see -- you just mean going forward. It would be looking at it within the previous year? Right, okay.

>> Mayor Adler: We change that to previous?

>> Troxclair: I think that might clarify that.

>> Mayor Adler: Is that okay?

>> Tovo: The strategic housing plan over the previous year --

>> Troxclair: Not sure I'm understanding the difference. If that makes you feel more comfortable, that's fine with me.

>> Tovo: This will be blueprint, not plan.

>> Mayor Adler: And the strategic housing blueprint.

[4:55:02 PM]

It's been moved and seconded with the change of blueprint and previous. Those in favor, please raise your hand. Those opposed. Is everybody on the dias with Ms. Poole off. Okay.

>> Mayor Adler: Who'd like go now? Want to take a vote on the motion? Yes? Go ahead councilmember altar? I move to amend page 19 under the key action of community support values and adding the additional language. And add the language of nonprofit organizations so the language would be achieving the community goals, outlining the plan to require the continuation of existing funding as well as significant new funding, new regulations, new programs, new and deeper partnerships and collaborations with nonprofit organizations, legislative changes, land development, co-changes, and a level not previously experienced in Austin.

>> Mayor Adler: Any objection? Hearing none, it's concluded. Want to do another one?

>> I move to amend the strategic plan under the maximize affordable housing to additional language. The city should consider developing a strategy to purchase state owned lands as they come up for sale for desirable and affordable locations that include income and strict housing and parkland.

[4:57:07 PM]

>> Mayor Adler: Any objection to including the Lange wantment hearing none, it's also concluded. One more? Councilwoman altar?

>> Yes, I move to change under the better land for affordable housing, adding additional language, the city should continue to offer density bonuses as well as reduced parking and lot and setback requirements for the development that includes the significant number of units required to be low and

middle income housing for a minimum of 40 years. Tovo and Kersee had additional percentage. Correct me, councilwoman Tovo, you agreed that number was preferable.

>> Mayor Adler: Okay, any objection in including this, Mr. Flanagan? The amendment is moved, is there a second to the amendment? Mayor pro tem? Ms. Altar, you want to speak to it? Then to Ms. Black.

>> Just the question about the definition of "Significant." We have programs that some might interpret significant to mean 50%. And there's no program that gets you 50%. So that's my hesitation with -- with saying significant or even significant percentage, because I don't know how that word is defined. And it took -- have staff question.

>> So the city's current vertical mixed use density bonus program which I say one of the most effective has a requirement of 10% of the affordable care act mostly 60%.

[4:59:08 PM]

>> Tovo: I would say with regard to this clause whether you're talking about a significant percentage or number, we also haven't put specifications around how reduced the parking would be or how reduced the lot with the setback requirements would be. And for me that would -- all of those would be discussed together and then it -- council will be determining whether or not the significant -- whether the number of units that were offered were significant enough community benefits based on the increased entitlement that a project asked for. I would just say there's not specificity around the other items either and that's where the tradeoff would be.

>> For me, that's my guiding principle as I go through the amendments. I'm comfortable with significant at this point. Recognizing there's an implementation plan. It could well be that the implementation plan has set specific goals or we go code next. We could come back and add specificity to this document. So at this point, in giving an aspirational goal to staff to come up with the number significant which I would expect them to use that in the context of aspirational and achievable, taking all of those things into account, we're looking for something here that would be significant. I'm fine with that language, Mr. Casar?

>> Casar: I

>> Casar: I was supportive of a portion or percentage of. The challenge with the number, we have had cases, where it's a small office building, there's some residential that utilizes a small amount of density bonus. If we get one out of ten units, that meets the 10% percentage, but one is probably not a significant - probably doesn't meet the definition of significant number, for me. You know, in almost any case. And significant number almost implies more than one, to me.

[5:01:08 PM]

So I guess I would just prefer a percentage or a portion.

>> Mayor Adler: I can go either way. If I was picking up one unit where there might not be one and I didn't have any real leverage and I could pick up one, that would be significant to me. But to me, it's context oriented but I can go either way. Mr. Flannigan.

>> Flannigan: I'll reiterate your comments. Part of this is daylighting, with definitions, when staff gets implementation planned, it's clear on that day, doesn't mean we have to hold up today's deliberations.

>> I'll be honest, when I saw councilmember tovo's amendment, we went over there, either one of them --

>> Mayor Adler: How about if we say a significant number or percentage?

>> Huh?

>> Mayor Adler: What if we say a significant number or percentage?

>> Perfect. Thank you.

>> Mayor Adler: Anybody have objection to that? All right. With the amendment reading now a significant number or percentage. Any objection to this being included in hearing none, it's included. Okay. Who wants to jump in next?

>> Huh?

>> Mayor Adler: I said who wants to jump in next? Are we ready to take a vote on the main motion?

>> I'll be happy to jump in on councilmember pool's for starters. She did propose striking moderate, and I know staff have conferred and it was my understanding that there was some support for that, striking, but if we would just provide some clarification on that.

>> So we did take another look at the map, and based on that, we would feel more comfortable with having both of those actually be moderate and high opportunities to make sure that we are able to capture areas that are either, you know, gentrifying or are great opportunities where our low income housing tax credits can be leveraged and those are very -- the qualified application program for those are very specific, and so occasionally it will be important for the city to have flexibility to be able to leverage those funds.

[5:03:35 PM]

>> Tovo: And so if we adjusted the goal to just be high opportunity. Do we not still have that flexibility?

>> That --ha T is a concern. That there would be areas that would fall outside the high opportunity areas.

>> Tovo: That we could not invest in or not support tax credit projects for? Is that what that recommendation is about?

>> Well, they wouldn't fall within the goal of 25%, being in that area.

>> I just want to ask did I want to add a little bit more comment to this, because where we see the metrics and the current methodology is really where that moderate/high can move. I would just like to say publicly, part of the implementation plan, which is actually pretty helpful, is that we will be looking at a pretty robust stakeholder process in which we get a modernized metric system around this, which currently right now, for example, does not include metrics that foresee or forecast gentrification in this map. So where we see movement is around metrics, for example, around education, food, you know, health metrics. Those kinds of things. And so for us right now, where the mapping is, we know it needs to be updated and I think that that is a conversation we're got want to have with not just the council committee but with you all, certainly in the future, but providing some flexibility around moderate and high would be helpful right now, for the as operational, more visionary document. And an implementation, if this is something that council would like us to come back and tee up and bring more data around, I think that's something that we're going to be doing anyway.

>> Mayor Adler: Councilmember Casar.

>> Casar: I finally realized the question that I wanted to ask that would help me make this decision, and it may take y'all longer to get this answer, in which case if you cant, then I probably just feel more comfortable with your recommendation.

[5:05:42 PM]

But it would be helpful for me to know, in this last year, or the year beforehand, what percentage of our income restricted housing we were doing in high opportunity, and how much we were doing in moderate. Because if in moderate opportunity we're doing a small percentage, and if in high opportunity we're also doing a small percentage, then I would feel comfortable saying let's increase both, because looking at the map, moderate opportunity areas to me seem pretty high opportunity, and I would like to make sure that we are doing our best to increase affordable housing in both of those. But if, frankly, we're doing lots in moderate opportunity right now and not very much in high opportunity, then potentially it's best for us to focus on high.

>> We actually -- we could probably get something to you in an hour.

>> Casar: It may take us longer than an hour to get through the other amendments. And we have a 5:30 break, so --

>> We can take this up. We could certainly provide some data that we feel comfortable you all would have something to inform the decision further.

>> Mayor Adler: That's -- I was going to get us done by 5:30. Okay. So we'll hold off on that one. Do we want to pick up another one of councilmember pool's amendments? Does anybody want to do something else?

>> Kitchen: There's another one in your packet. And this is to amend page 16 -- page 16 goals are listed, and this is to add a community goal that 30% of new housing should be a range of housing types, from small lot, single-family, to eightplexes, to help address Austin's need for multigenerational housing. I understand that councilmember pool has worked with the staff on this recommendation, so I would like -- I'd like the staff or Ms. Leak, if you could speak to this amendment.

>> Yes. So this was -- this was actually an amendment that planning commission recommended, was to have a unit mix goal, and so it was based on the table on page -- I'll find the page in a minute, but basically there was a forecast of the number of units needed in each -- in each unit type, and it was projected out to 20 2040.

[5:08:17 PM]

We did analysis to break that down to a ten-year goal, about broke down the housing types, and which ones fit into generally this taking range between small single-family, up to eight-plex. This is very rough, but estimated it would be approximately 30% of the expected demand over the next 30 years.

>> Mayor Adler: So you're comfortable with this amendment?

>> We are.

>> Mayor Adler: Okay. It's been moved. Is there a second to this? Mr. Casar seconds that. Any furs did you get?

>> Casar: Mayor?

>> Mayor Adler: Yes, Mr. Casar.

>> Casar: I'm supportive of this. Is it the intent and understanding, again, like the prior resolution, this is not a cap but it's a goal or --

>> Right. That's correct.

>> Casar: It can be clarified by including the words at least?

>> Kitchen: Yes, I think if that works for staff.

>> Okay.

>> Mayor Adler: Any objection to adding the words "At least"? Hearing none, that's added. We're to the amendment. Does anybody have any objection to this amendment? Hearing none, this amendment is included. Mr. Casar.

>> Casar: You have an amendment very -- almost virtually identical to what I handed out at work session from me, which is just clarifying, just like we did on the last amendment, that this plan is asking for a minimum of 135,000, I will say what our expectation is, give the methodology, and recognizing what some speakers have noted, which is the potential that this may not be sufficient to address our overall share of housing -- housing cost for holders and at least recognizing that fact within this goal statement, without changing the number.

[5:10:20 PM]

>> Mayor Adler: Does anybody have any objection to this amendment being added?

>> Kitchen: I have a comment.

>> Mayor Adler: Okay. Is there a second to this amendment? Mr. Flannigan. Ms. Kitchen?

>> Kitchen: My comment is, I support this. My comment is also that I think that this kind of language helps us recognize the concerns that we raised earlier, that we didn't want to set a goal that just left us at the status quo, and that left us at the status quo and only recognized future housing demand and didn't recognize the problems that we have right now. So I think that the wording that you have right now will take care of that concern.

>> Mayor Adler: Yes. Councilmember alter.

>> Alter: I do have some reservations about this. I would be more comfortable if it said there's a need for the construction of 135,000 additional housing, rather than a minimum of. Then it said more than 135,000 may well be [indiscernible] -- I'd be more comfortable with that, because I'm not yet convinced that the goal is 135,000, or 60,000 or 200,000. And so setting that minimum in there would make me more comfortable.

>> Mayor Adler: Okay. We have an amendment pending. Any further discussion? Let's take a vote. Those in favor of the amendment, please raise your hand. Those opposed? Alter and tovo opposed. The others voting aye, pool off the dais, and Houston abstains. That passes. Mayor pro tem.

>> Tovo: I have another from councilmember pool, it's the amendment distributed earlier that says multigenerational housing. This is actually amending the staff recommendations that were distributed, and this would add the following text. And you probably don't need me to have read it, but the two sentences are very quickly, four ways to achieve 70% multiveteran housing in neighborhoods which can create age diverse neighborhoods and explore options to increase multibedroom housing in a variety of areas including public land, et cetera.

[5:12:42 PM]

>> Mayor Adler: Okay. Staff, you want to comment on this one?

>> We feel comfortable with the second part of the amendment. We don't really have -- we have not researched the -- what's being -- we don't have enough research to know whether we would support the first part. So, I guess, therefore, we're not comfortable supporting the first bullet because we don't feel like we have enough information.

>> Mayor Adler: Would you be comfortable with something that said develop a goal for the percentage of multibedroom houses in neighborhoods?

>> Yes.

>> Mayor Adler: Okay. Is that okay with you, mayor pro tem?

>> Tovo: I think that's in the spirit of councilmember pool's --

>> Mayor Adler: Okay. So is there objection to changing the amendment so that it says -- well, actually, it hasn't been seconded yet so you can still do that. Mayor pro tem's amendment would say, develop a goal for the percentage of multilevel housing in neighborhoods. The second point would say the same. Is there a second to that? Alter seconds that discussion on that amendment? Mr. Flannigan.

>> Flannigan: Staff and maybe legal, is it -- outside of when we've done bedroom count requirements in certain situations, outside of those situations, when we're doing a zoning case, is it even possible to require minimum bedroom requirements? Is that a thing that's legally possible?

>> I'm going to defer to law.

>> I'm assistant city attorney. Outside of zoning, I'm not sure, when it talks about exploring options, what options they would be exploring.

[5:14:44 PM]



All I can say is, as they explore those options, we would be involved with them to make sure anything that came forward as an action would, in fact, be within our authority to do it.

>> Flannigan: I'm fine moving forward with that. I just wanted to daylight that concern.

>> Mayor Adler: In fact, shouldn't the language say, explore ways and develop a goal?

>> Tovo: So instead of explore options, is that what you mean?

>> Mayor Adler: No, the one I said before, explore ways -- so I would say explore ways and develop a goal, for the percentage --

>> Tovo: For the percentage of multibedroom housing.

>> Mayor Adler: Right.

>> Tovo: That's fine. Keeping the second bullet the same, my understanding would be that it would be since it's talking about publicly owned land, we certainly can set some goals or some minimum requirements for those kinds of developments because those are presumably ones in which we would be involved. And then with regard to the corridors and centers near schools, that's really -- we may be mostly talking about private development in that case, and I think that would be a different -- a different animal.

>> Mayor Adler: So the amendment reads, explore ways and develop a goal for the percentage of multibedroom housing in neighborhoods which can create

[indiscernible] Neighborhoods, and the second bullet point stays the same. Yes, councilmember alter.

>> Alter: I think that the 70% -- percentage, that number, came from studies that showed that you need to have 70% of an area having multiple bedrooms in order to sustain families wanting to live in an area. So I'm wondering if we can make it show you recognizing that there's research that suggests 70% is a number -- or something -- I mean there was a reason for that number. It wasn't just picked out of thin air, that there's research that says you need that amount to sustain schools and make it family friendly enough.

[5:16:46 PM]

>> Mayor Adler: For me, I'm comfortable keeping it this way, understanding that when they're developing it, they'll use that research. I just want to give them a chance to look at that research and any other research that might be out there as they develop that. They just didn't seem ready yet to say that, and get comfortable with a number, so I would give them a chance to do that.

>> Alter: I was just trying to make sure that -- I think that part of the intent -- and I don't want to put words in the mouth, councilmember pool might speak to you about this, but that that number was part of the goal because it allows you to have the families there, and if we get rid of that goal, which I understand is probably the will of the dais, I'm just wondering if there's some language we could use that still recognizes that intent of -- of -- the goal is to have families want to live there, and if we know 70% is important, that's an important piece of information to preserve the intent here.

>> Sure. I think that -- I think what we can say is language around per industry standards and, you know - and planning research. I believe that you're correct, that would definitely be, I think, what we would want to point to, and what likely councilmember pool would point to, and we would certainly cite that. So I think we could definitely add language per -- per, you know, research and industry standards, we would set the goal.

>> Mayor Adler: Mayor pro tem?

>> Tovo: So one suggestion -- and thank you, councilmember alter. This actually originated with Steven zetner's research that he had presented to the codenext cag. We could add a sentence to the -- that sounds something like data from several cities suggests that middle income neighborhoods with less than 70% multibedroom housing struggle to support a natural age curve, and then go on to say explore the sentence that we agreed on, explore ways and develop a goal for the percentage of, et cetera.

[5:19:01 PM]

Is that a good balance?

>> Mayor Adler: See, I would expect them, as they develop it and explore, to take into account that research, without them having studied the research, I'm uncomfortable picking out a study. It may very well be exactly right, and I think that is what's driving councilmember pool, I just think it's already incorporated in the work that our staff would do, especially given fact that they're asked to create age diverse neighborhoods. So I think the criteria is inherent in the sentence that councilmember pool wrote. Councilmember alter.

>> Alter: I think councilmember pool might have shared some options?

>> She did. And we just haven't had a chance to look at those studies, so, I mean, I believe that they exist, but we haven't looked at them and we'd like to take a look. I think the other question is, how do you define "Neighborhood," so that would be something for an implementation plan to try and figure out how one might do that.

>> Tovo: Mayor, I think we're good moving forward as we have it.

>> Mayor Adler: Okay. Any objection now, concluding this as written?

>> Houston: So it's explore and develop --

>> Mayor Adler: The first bullet point would say explore ways and develop a goal for the percentage of multibedroom housing in neighborhoods which can create age diverse neighborhoods. The second bullet point reads as written. R there any objections to including this? Ms. Troxclair objects. Let's take a vote. Those in favor of the amendment, please raise your hand. Those opposed, Ms. Troxclair votes no, others voting criteria, Ms. Pool off the dais, this also is now included. Ms. Houston.

>> Houston: I passed out a motion sheet to amend the text on page 37, line 9, of subparagraph 2 with reducing requirements for multihousing, they're all within one-fourth mile of frequent transit service and tying those reductions to

[5:21:17 PM]

[indiscernible] Units which can only be rented to tenants without cars.

>> Mayor Adler: Ms. Houston makes amendment to add the words, tying the introduction to non-parking units which can only be rented to tenants without cars, is there a second to that?

>> May I get a copy of that?

>> Mayor Adler: Is there a second? Mayor pro tem seconds. Mr. Flannigan.

>> Flannigan: I have a similar concern as I did on the other item about the validity for a renter's car ownership to be a condition of renting an apartment. I'm not sure that it's possible to do that.

>> Houston: And I don't know that, either, but I know that if we have a bullet that we're going to reduce the parking, and people bring two cars, there's no place for them to park, because regardless of what people say, people are still buying cars. So I just want us to be -- try to look at ways to try to mitigate the congestion on the streets, parking on both sides of the street, and to be able to have people have that option. Some people come into town without cars at all, and so they might get a break on their rent.

>> Flannigan: Right. I love that last part you just said. We have the same objective.

>> Houston: Okay.

>> Flannigan: I agree with the objective, but I think it might be something more valuable, and I want to think about, for a moment, about how a multifamily complex might support renters that don't own cars. Or if you rent certain units, you might -- you maybe get a metro pass. That may be more possible, but even then, I'm not sure how our role in zoning or in other matters might even use that as a metric.

[5:23:19 PM]

It's a great idea. I just don't know how did the maybe it's enough just to note that.

>> Houston: I am -- I'm not supporting reducing parking requirements for multifamily housing, because we know that that hasn't worked. It doesn't work, and development across the street doesn't work, so we've got to figure out how to do an incentive for people not to need cars because they're right there --

>> Mayor Adler: If it's worded that way, that would make sense to me, asking the staff to develop incentives to explore and develop incentives to see if there are ways to get people not to have the cars. But I wouldn't know that I would tie the benefit to that. But as part of the implementation plan, I would certainly think that would be a great thing for people to try to figure out, how to do that.

>> Yeah. We'll work on that.

>> Mayor Adler: Mr. Casar.

>> Casar: I would suggest, I don't know if it's in the housing plan, but I was just going to suggest on the dais, but it sounds -- councilmembers? I was just going to suggest that I don't know if it's in the housing plan now, but one incentive that I think is in some parts of the city for having people not have cars is in some density bonus programs, we require that the landlord charge you separately for a parking space so that renters only pay their rent and have a reduced rent ultimately if they don't bring a car. So that's for both affordability and for reducing impervious cover, incentives to build more parking than the market demands, all that stuff, so it's the decoupling of units from parking. So that's one -- I don't know if it's already in the plan, but I think that it's an affordability, a housing issue, and a good transportation idea.

[5:25:28 PM]

>> Houston: Is it in the plan like that? Because it looked very open to me in the plan, the parking, reducing the parking.

>> I don't believe we recommend decoupling in the plan anywhere, though it has been discussed in different places.

>> In the university neighborhood overlay, parking is decoupled as part of rent. And so I've personally experienced that with my daughter, where she paid for her own parking and I paid for her rent for a year.

>> Alter: Mr. Casar, I don't know, in what you were saying, if we got an answer to how we do that with our authority. I know that there are -- there are -- there are landlords that do that, particularly if they don't have enough parking, but I just don't know if we have authority to incentivize that decoupling. I

hope we do because I think it would be a good step to take, but I'd like to know more, maybe -- I don't know if Mr. Guernsey has information on how else we can do that beyond part of that overlay.

>> Mayor Adler: Ms. Kitchen.

>> Kitchen: Mayor? I'm going to withdraw my motion and mayor pro tem has a motion.

>> Tovo: Okay.

>> Mayor Adler: Mayor pro tem.

>> Tovo: So the last -- the last item on my motion sheet addresses the same paragraph that councilmember Houston was just proposing an amendment to, and this is another way of potentially addressing the issue. And what I've done, and I think I explained this on Tuesday, but I did go back after our work session and take the comments that councilmember Renteria and others made into consideration and made some additional revisions. But with regard -- what I've done on these, you know, these are issues about -- about which there are differing viewpoints, and in my view, it was fairly prescriptive, and frankly in the view of some of the people who are communicating with us, some of these -- some of the language was fairly prescriptive, and so I have -- I've suggested some changes that back off it a bit.

[5:27:42 PM]

With the last one, with 37, the comprehensive parking reform, I've added in the language as you see. And so the substance of the language change that I think is relevant to councilmember Houston's amendment is to change the language so that it says the city should -- here's the new language -- consider whether changing -- changes to its parking policies would support housing -- affordability and housing, and then later on it talks about reviewing parking requirements rather than minimizing, which frankly we already have minimized in some areas, and so reviewing those seems to me more appropriate. And so I would -- those are -- that's the amendment I would make with regard to the comprehensive parking reform on page 37. And that allows us, number one, to have a more -- a more contextual approach as those issues present themselves, because in some areas, you know, it may make great sense to reduce the parking requirements. In others, it's just going to create a lot of overflow parking on the streets, and that will create conflict in those neighborhoods for residents of the new construction, as well as the existing neighbors. And there is research, and we had a long discussion at some point about this research from other areas, about micro-units and experiments in other areas affecting parking requirements, and had lots of impact on surrounding areas. And so I think rather than sort of debate parking policies, at this point, the language -- the language I've proposed represents a middle ground.

>> Mayor Adler: Is staff okay with this change to 37?

>> The coffee-recommended change?

>> Mayor Adler: Uh-huh. Coffee -- the tovorecommended change?

>> Mayor Adler: Yes.

>> Yes. We would be reviewing it as potential ordinances are brought forward. Is that the intention?

>> Mayor Adler: As they're brought forward as you initiate them, or as you're reacting to something brought forward by somebody else?

[5:29:43 PM]

>> Correct.

>> Mayor Adler: Mr. Casar?

>> Casar: I have concerns with some of these changes, as I might -- and I think these concerns will be similar to ones I bring up with some of the other mayor pro tem's potential amendments. The issue is, here it doesn't prescribe to reduce parking requirements by a specific amount, nor does it say that we're going to be getting rid of all parking requirements. It does -- the plan does say that the city should perform a policy to improve affordability. It says we should be looking at the area of parking reform to improve affordability. And that implies we might not want to, or that it might not improve affordability. If you look at the next page on page 38 of the plan, we have, you know, a chart put together that very specifically shows how parking requirements do increase the income required to afford rent, increased construction costs, and, frankly, create more impervious cover and have other rental effects. So I think it's clear that -- it's a clear fact that parking -- building parking instead of building spaces for people to live in costs money, and -- but -- so I think that we should -- I don't think we have to consider whether parking policies impact affordability, I think what we have to do is acknowledge that they do, and then do our best to reform them appropriately, balancing all our community goals, balancing issues in each individual neighborhood, balancing environmental and other issues, but I just don't think that I can support an amendment that says we should consider whether or not parking would do this. I think it -- reforming parking can certainly do this, and I don't think we need to consider whether or not it does. It does impact affordability and we just have to make sure that we make changes to our ordinances, balancing the community interests.

[5:31:47 PM]

>> Mayor Adler: And what you just said, you allowed for a contextual evaluation for the application of that principle. Does it work for you, mayor pro tem, if, rather than saying should consider whether changes to its parking policies would support, but to change "Whether" to "Where" to consider where changes to its parking policies would support? That allows to the contextual element that I think mayor pro tem wants, but it doesn't address the question of whether or not it's true.

>> Tovo: I would be comfortable if changing the language there to the city should consider where changes to parking policies -- if that's what you're suggesting, I would be comfortable with that change. There is language in the previous -- in my previous amendment that talks about that contextualization, that we could also bring in. But I think that accomplishes it easily. Where I'm -- but again, on 3, I would stick to reviewing parking requirements, because again, we have already lowered parking requirements for accessory dwelling units, and so reviewing those makes better sense to me than minimizing.

>> Mayor Adler: I'm fine with that, too, because I don't think that does harm to the -- to the analysis, it's just another contextualizing thing for me. In fact, I'm fine with all the other changes that the mayor pro tem has on this page 37, changing "Whether" to "Where."

>> Casar: And I would concur with that.

>> Mayor Adler: Okay. I'm fine with the word potentially. Not having a capital I in directly, I checked for commas and they seem to be appropriate, so I'm good to go.

>> Mayor Adler: Nil objection to including this with the change of "Whether" to "Where"? Then this is also page 37 changes incorporated. That gets us, council, to 5:30.

[5:33:48 PM]

I don't know if you want to try and stay here to work through these, or if there are any other amendments that haven't been handed out.

>> [Off mic]

>> Mayor Adler: That's what I'm saying. 5:30.

>> Kitchen: So I have a question.

>> Mayor Adler: Yes.

>> Kitchen: The remaining ones are just [indiscernible], mayor pro tem?

>> Tovo: I believe so. If I could just make a comment, if you number each of these, we've already dealt for two, through councilmember alter's amendment, and the staff have changed some language with accessory dwelling units that renders my number 7 unnecessary.

>> Mayor Adler: Can you -- page 24 is one, page 32 is three?

>> Tovo: Right. No, I'm sorry, page -- okay, so page 24, number 1, better utilize land for affordable housing is two, we've dealt with it, implement bonus program is 4, ending to number them initially. Back page, smaller houses on lots, number five, the next piece of that, really is the same thing, and then we just dealt with -- I think we've accomplished the rest.

>> Mayor Adler: Okay.

>> Tovo: So the last one would be the smaller houses on smaller lots.

>> Mayor Adler: Does anybody else have any other amendments other than these five that will be handed out?

>> Casar: Mayor, I don't have other amendments. I've done my best to, since I got the mayor pro tem's final ones, try to type up any amendments I would have stories, and so I'll pass those out, but they're not separate amendments.

>> Mayor Adler: Okay.

>> And I don't know that we wrapped up the moderate to high question. Did we finish that?

>> I'm ready to wrap that up in like 20 seconds.

[5:35:48 PM]

>> That one's still on the table.

>> I would recommend that we stay with councilmember pool's amendment, and the reason for that is, we have pulled the data in high and moderate. Currently we are at 25%. So with that we would recommend the goal be high, and recognizing that implementing the plan, we will be bringing back to you all more information on the opportunity mapping.

>> Casar: Thank you so much.

>> Mayor Adler: So striking moderate and just say housing to be in high opportunity areas.

>> That's correct. And thank you for the fluidity of the conversation.

>> Mayor Adler: We aim to please. Any objection to including this -- Mrs. Pool's amendment that strikes the word moderate? Hearing no --

>> Troxclair: I'm just going to abstain.



>> Mayor Adler: Ms. Troxclair abstains, the others voting aye, Ms. Pool off the dais, this is included. That gets us, I think, just to the mayor pro tem's amendments, 1, 2, 3, and -- 1, 3, 4, and 5. 1, 3, 4, and 5. So we'll pick up those and the Casar potential amendments to those amendments as soon as we come back from dinner. We'll do those first, and then we'll move to Austin oaks. It is 5:30 now. Do you want to try to get back here at, what? We have music and proclamations. 6:30? 6:45? 6:30? We want to try for that?

>> Casar: And, mayor, just to help people out, looking at my piece of paper, this is making people's life easier. If you look at mine --

>> Mayor Adler: I was just thinking, I don't get dinner. But go ahead.

>> Casar: Looking at my amendments, if you counted them 1, 2, 3 and 4, 1, 2, and 4 have already been dealt with so it's just the smaller houses on smaller lots one.

>> Mayor Adler: That's the only one?

>> Casar: That's the only place where I'm amending the mayor pro tem's suggested language. On the others, I just may support or may not support her amendments.

[5:37:52 PM]

>> Mayor Adler: Got it. Okay. It is 5:37. We'll -- we're going to break for music and for proclamations and we'll be back here at 6:30. Thank you very much.

[5:47:20 PM]

[♪ Music playing ♪]

>> Check, one, two.

>> Check, one, two.

>> One, one, one. Check, one, one.

>> Check, one, two.

>> Check, one, one, one.

[5:49:51 PM]

[♪ Music playing ♪]

[ Music playing ]

[5:52:42 PM]

>> Mayor Adler: All right. I think we're ready. I think we're ready.

[Applause]

>> Mayor Adler: You know, some good things are just worth waiting for.

[Laughter] We go to these council meetings, we start at 10 o'clock in the morning, and we begin the day waiting for this time to come around, because we are the live music capital of the world.

[Applause] Only fitting and proper that we interrupt our council meetings in order to hear live music. So you guys have given us a gift here today, and we really appreciate you being here. This is the belle sounds joining us today. The belle sounds five-piece indie folk rock band, founded by a husband and wife team, Noelle Hampton and Andre Maran. The band's music has a mystical, unique sound, three part harmonies, guitars, synth keyboard sounds and driving rhythm section. They have performed locally at the Saxon pub, the one to one bar, the continental club, acl moody, and many venues. The belle sounds were just named one of Austin's best new bands in the Austin chronicle music poll for the year 2016, and we are lucky to have them here tonight. Please help me become the belle sounds.

>> Thank you.

[Applause]

[♪ Music playing ♪]

>> In the morning light, all those new things you do, coming into focus, coming into focus in your head the sun across your face makes you look like a gold boy ♪♪

[5:55:00 PM]

[ music playing ]

[5:58:53 PM]

>> Thank you.

[Applause]

>> Mayor Adler: Thank you for that. That was great. Thank you.

>> Thank you.

>> Mayor Adler: So if somebody in this room or watching wants to find you, do you have a website that they can go to?

>> The belle sounds.com. That's b-e-l-l-e sounds.com, and connects to all the rest of the various social media that we are on.

>> Mayor Adler: Cool. Cool. And if somebody wanted to buy your music, how would they do that?

>> They can -- I don't know if it's at Waterloo, I should check on that. They can go to the website and order it online, download it or order a physical copy. Or come to one of our shows and get one there.

>> Mayor Adler: Which is the last question. If they want to see you play, where would they next go to see you, what's your next gig?

>> You should come on Saturday. We're playing the Saxon purr, right before ray Primm, who you had not long ago. We're doing a double bill we that would be great. So we have a proclamation. Be it 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 audiences support good music produced by legends, our local favorites and newcomers alike. And whereas we are pleased to showcase our local artists, now therefore I, Steve Adler, mayor of the live music capitol, do hereby proclaim April 13th of the year 2017 as the the bellsounds day.

[6:00:53 PM]

>> Thank you all for coming, all of our friends and family and people.

[Bell ringing]. >>> >> >>> >> >>> Holt rehab. >>> >> >>> >> >>> >> >>>

[6:04:59 PM]

>> Mayor Adler: All right. So Austin is globally recognized as being supportive to local business. We've known -- we're known for our unique and vibrant small businesses that maintain the character of our city and share Austin's spirit with all visitors and citizens and residents alike. According to the census bureau of statistics, the U.S. Business 2014 data shows that Austin area's 35,000 small businesses, that means businesses with fewer than 100 employees, accounted for 261,000 of our area jobs, employing over a third of our population. We know these local businesses make our economy stronger and more connected, which is why we value their significant contribution. I am pleased to present this proclamation on behalf of the city. I'll read it now and then I'll present it to Joy Miller with the city of Austin small business program to elaborate more about the program.

The proclamation: Be it known that whereas through the ongoing partnership of the city's economic development department, the small business festival and capital one smart business, we will celebrate the second annual small business festival from May 1st through 5th of the year 2017. And whereas the numerous activities planned include seasoned entrepreneurs and small business owners from all industries who are excited to share their business knowledge with others and the enthusiastic participation of community partners, hosting free events, classes and entrepreneurial sessions for our small business community.

[6:07:18 PM]

And whereas Austin's entrepreneurial environment continues to be exciting and vibrant with small business growth outpacing all other U.S. cities in the year 2016, last year. And whereas Austin's values supports its local small businesses because they create jobs, they contribute to the local tax base and create a unique personality that attracts hundreds of thousands of visitors annually. The first week of May is a grand opportunity to honor our small businesses and to reaffirm our commitment to fostering economic growth. Now therefore I, Steve Adler, mayor of the city of Austin, Texas, do hereby proclaim May 1st through 5th, 2017 as small business festival week. Joy, congratulations.

[Applause].

>> Thank you. I accept this proclamation recognizing the city of Austin's economic development department's strong commitment to providing support for the small business community. I want to proudly thank my director, Kevin Johns, and my assistant director Sylvonia Holt-Rabb for being supporters of Austin area small businesses. Without their support and guidance the small business program wouldn't be here to provide services for existing businesses and those who want to start businesses. Austin celebrates small business festival week May 1st through May 5th through a multitude of opportunities for entrepreneurs citywide. In partnership with the small business festival and capital

one spark business, these panels and events are intended to empower small business owners with knowledge from business experts to expand their business expertise. We appreciate the entire small business festival staff, capital one spark business, along with a host of resource providers that are partnering with us to deliver quality programming to educate and support small businesses throughout Austin to make this week successful.

[6:09:35 PM]

It's encouraging to see zoom supportive partners, entrepreneurs and non-profit resources gather to celebrate the spirit of small businesses. We're also grateful for the many subject matter experts who are willing to share their skills and knowledge with others as a pay it if forward. Giving back it Austin's secret sauce that keeps it on the top 10 list of places for new businesses each year. I'm going to encourage you to visit [www.smallfestival.org](http://www.smallfestival.org) to check out events near you and to view the full schedule. If there are any community partners here tonight or small business staff, I would like for you for come down and be with us when we get the photo taken. And now I'd like to introduce Matthew Pollard, my favorite Australian and founder and executive director of the small business festival. Thank you.

[Applause].

>> Thank you, joy. So a profound thank you to the economic development department and to our

[indiscernible] And also capital one spark business for underwriting our event this year, continually showing support for small business. It's clear you have a heart for small business. Capital one recognized that when small businesses do well, local and national economies do well. Jobs are created and communities are strengthened. Small business festival was created to provide a forum for collaboration for all of small business. And last year we were listed by inc as the number one festival in America for small business. This year we hope to do even better with over almost 100 speakers across greater Austin. Offering a unique formula of nuts and bolts trainings and real world success stories, people who started small and grew big. Austin is the home of small business festival where our premium festival is locate and where we launched in our first year. But it also served as a blueprint which is seeming to be the case for a lot of Austin businesses.

[6:11:43 PM]

To launch into other areas and cities. This year we'll be launching it in Sacramento, California, Buffalo new York, San Antonio, Texas and then later on in the year in November in Sydney, Australia. Thanks to our new partnership Microsoft allied stream sponsor we'll also be making small business festival

premium available for everybody who has an internet enabled PC or device. But we would love to get people out of their isolation and come out to one of the the locations that viewing will be at in one of our global locations. Also in collaboration with our partner, the Austin film society, our small business festival will be live on TV for the Austin local public. It will be a public channel 10 this year. Last year I co-authored an article on fortune.com. And Austin's formula for competitive operation. As government's chambers and alliances, co-working accelerators who give up their space for which we're eternally grateful. Lending groups, media and universities all work together in harmony to promote each other's events in the hopes ever making all small businesses better. We thank you from the bottom of our heart.

[Applause]. Paul, I'd like to invite you to come down for the photo.

[6:14:32 PM]

>> Casar: Good evening, we're here today to declare this month of April as sexual assault awareness month in the city of Austin. Sexual assault is a problem and a danger every single day in our community, but we take this month in particular to highlight the stories and experiences of survivors and to emphasize the need for accountability, prevention and survivor centered response to sexual assault. The sard, the sexual assault response and resource team, is a multidisciplinary coordinated community response team for Austin and Travis county. It is composed of all the agencies responsible for responding to sexual violence here in our community. We are joined by advocates and members of the start, including Emily leblanc, who is co-chair of the team, to accept this proclamation and say a few words. During her tenure at the safe alliance Emily founded Eloise house, the forensic

[indiscernible] To provide better response for survivors of sexual assault. So I'll read this proclamation. It's an honor to present it and then Emily will say a few words. Be it known that whereas preventing and responding to assault sexual assault is an issue for every citizen of Austin and equity in its forms including on the basis of race, sexual orientation, nationality, language and immigration status, create vulnerability, violence and impede's survivor's ability to seek help. And whereas the city of Austin is committed to the belief that the body autonomy of each individual should be respected and that everyone has the right to be free from violence and fear. And whereas it is on all of us as a community to address sexual violence by promoting survivor centered interventions, fostering healthy relationships, addressing inequity and ensuring that justice serves to heal the community and prevent future violence.

[6:16:33 PM]

And whereas all austinites are invited to join the Austin two-step campaign. You can see we've got a bracelet about that right here. All austinites are invited to join this campaign to change the culture of violence by displaying courage and speaking out. Now therefore I, Greg Casar, councilmember from district 4, on behalf of Steve Adler, our mayor and the entire city council, do hereby proclaim April 2017 as sexual assault awareness month.

[Applause].

>> Thank you, councilmember Casar, for your enduring support of survivors as we work to make the system more responsive and more justice for the two in five women and one in five men who are survivors of sexual assault. I want to first of all -- there's been a lot of press lately about the backlog and as we work to do that I want survivors to know that if you have one of the kits and wants to know what's happening with your kit in a cold case you can call 512-974-5555 and someone from APD will be in touch with you about what's happening with your case. We spend a lot of time on the start and rightfully so talking about what's wrong with the system and how to fix it, but I want to take the opportunity to say what is right. And here in Austin we're very lucky to have very knowledgeable and passionate advocates and nurses who respond after a sexual assault, and we're blessed with a fantastic victim service counseling team at APD. So I want to recognize them and the hard work that you do on behalf of survivors every single day because as councilmember Casar said, this is an issue that affects our community every single minute of every single day, not just during the month of April. So thank you so much and we look forward to working with you on future initiatives.

[6:19:38 PM]

>> Good evening, I'm Delia Garza. I'm the city councilmember that represents district 2, which is southeast Austin. I'm often very proud -- I'm always very proud of all the work that we do here on council, even the things that I may disagree with I know that my colleagues are working hard and doing their best to pass good policy. There's one item connected to this proclamation for autism month that I am particularly proud of because I was approached actually before I was even sworn in on my first term, I was approached by a parent, Jackie benestante, and she told me how the city did not cover health coverage that was therapy that greatly helped children with autism and they said the city should be providing that for their employees. So we met with her and other members of the autism community and we were able to pass the policy that requires the city to cover those benefits. So it's special to me because it was one of my first acts as a councilmember and it really has helped so many of our Austin -- our city of Austin family. So I'm proud to read this proclamation, be it known that whereas the autism society of Texas has provided meaningful assistance to thousands of individuals with autism for 27 years. Ones of families -- hundreds of families have received support in the form of advocacy, recreation, activities and support groups and whereas the autism society of Texas spreads awareness about autism. Autism is the fastest growing developmental disability. The incidence of autism has increased in recent years to an approximate occurrence of one in 68 births, nearly twice as great as the

2004 great of 1 in 25. And almost one in 42 boys. People in autism typically have severe difficulties with communication, behavior and social relationships.

[6:21:39 PM]

And whereas the autism society of Texas promotes autism acceptance and awareness of individuals with autism and their families year-round and would like to highlight autism awareness in the month of April. Now therefore I, Delia Garza, on behalf of mayor Steve Adler of the city of Austin and the rest of the council, do hereby proclaim April 2017 as autism awareness month.

[Applause].

>> Thank you so much. Thank you, councilmember Garza, mayor Adler, all the councilmembers that are here. We're so grateful for this proclamation. My name is Suzanne pots, the executive director. I want to thank you for last year's work with the council and mayor. They were able to work with us to get all of the city employees to have ava coverage. And if you don't know. It is an analysis that is critical for families to work on behaviors and to address and to work to mitigate symptoms of autism so that individuals can have lifetime potential positive outcomes. So it was article big deal. We're really grateful for you all to help us with that. And I know that families here are being served really well. I also want to say thank you, we received a city of Austin grant for the first time last year, and it was -- we call it access Austin. It's the first ever adult employment grant for adults with autism and we were able to hire an employment specialist Zach with this grant last year so we're working with adults with autism who have an 80% unemployment rate. So if you can imagine, there's over 300,000 individuals with autism living in Texas. There are thousands right here in the city that are living at home unable to find work and sustainable living. So this grant is allowing us to engage with adults, help them work on employment skills, live skills, soft skills and even doing some volunteering. So we want folks to know that individuals with autism have a lot to give and have a lot to do with the city of Austin and want to give back and be vibrant city members. Thank you so much for this. We really appreciate it.

[6:23:39 PM]

[Applause].

>> Mayor Adler: It's a pretty special evening tonight. We have another proclamation. Be it known that whereas cardiovascular disease is the leading cause of death in the United States and accounts for one-third of all deaths. And whereas regular physical activity can reduce cardiovascular disease risk, but only 22% of adults get the recommended amount.



[6:25:40 PM]

And whereas the American heart association recommends that children and adolescents participate in at least 60 minutes of physical activity each day. And whereas by providing families and children with safe places to be physically active, we can take steps towards improving heart health and reducing obesity rates. Now therefore I, Steve Adler, mayor of the city of Austin, Texas, recognizing the vital importance of regular physical activity, do hereby proclaim April 2017 to be a time for all citizens in Austin, Texas to commit to move more in April. By increasing awareness of the importance of regular physical activity to reduce the risk of cardiovascular disease we can save thousands of lives each year and encourage people to be healthy for good in Austin. Congratulations, and we'll have Christina Holch speak, I think. Congratulations.

>> Thank you, mayor. In honor of move more in April month, the American heart association wants to thank you and city council for this proclamation. We know that regular physical activity and safe places to be active improve heart health and reduce cardiovascular risks and so we're very appreciative of the opportunities for austinites to be healthy for good. Thank you.

[Applause].

[6:28:13 PM]

>> Mayor Adler: Every once in awhile you have the opportunity to do these distinguished service awards, which are important in the city. And sometimes I do them for people that I can't imagine the city operating without. We've had a lot of activity in transportation. In fact, we've probably pressed the transportation staff as much as any department in the city over the last few years and you've been at the center of most all of it. So we have today a city of Austin distinguished service award for his commitment and contributions to moving Austin and its citizens toward a multimodal transportation system. During his 17-year tenure as a dedicated employee of the city of Austin. W Gordon Derr is deserving of public acclaim and recognition. Gordon's unmatched work ethics and dedication to public service has made him an invaluable team member of the Austin transportation department. This certificate is presented in acknowledgment and appreciation thereof this 13th day of April in the year 2017 as awarded by the city council of Austin, Texas. Govern?

[Applause].

[Cheers and applause] >> Thank you.

[Cheering]

>> Unaccustomed as I am to public speaking, I just want to say thank you to the city, to the city council, to the city staff, senior management of the city.

[6:30:23 PM]

You know, I came to Austin in 1970 to come to school here. Fell in love with the city right away. I've moved away and moved back a couple of times, but Austin's always been, you know, the shining light on the hill in my view of the world. It's been an incredible opportunity to work for the city the last close to 17 years. Mayor, I'm sure you're aware, you have an incredible staff. And I particularly want to call out the transportation department staff. I think over the last eight years we've been able to build a team that you would have to look pretty hard to find a team that would exceed the abilities and the accomplishments of our staff. So reluctantly, you know, when I came here I had a full head of hair.

[Laughter]. My dream was to, you know, grow it long and have a ponytail.

[Laughter]. That's not going to happen it looks like.

[Laughter]. So I think there's great things coming forward with the mobility bond to build a better Austin. I will be involved as -- with helping my friends to move things forward, and again, thank you for this opportunity and the opportunities I've had over the last 16 years. Rob spillar has been a great friend. Robert Goode has been a great assistant city manager that has really helped us to see the vision and make it happen. So thank you.

[Applause].

[6:45:54 PM]

>> Mayor Adler: We have a quorum. We're back out. It is 6:45. We are continuing in item 10, which is the strategic housing blueprint amendments. Mr. Casar?

>> Casar: I think I have one easy one. I know I said I didn't have anything new, but since we got rid of moderate opportunity areas in this last amendment, which I think is the right thing to do, I wanted to add in that section a statement saying the city should also research and develop goals for affordable housing development and preservation in moderate opportunity areas.

>> Mayor Adler: Okay.

>> Casar: The reasoning for that being is when you're talking about areas like Mueller, around McCallum high school, would be areas having that goal.

>> Mayor Adler: Having that goal is good. That amendment has been moved. Is there any objection to that amendment being included. Hearing none, it is included. Would you repeat that again, Mr. Casar?

>> Casar: Right after the section where we state our goal of 25% to be in high opportunities areas, the city should also research and develop goals for housing development and housing areas in moderate opportunity areas.

>> Mayor Adler: Okay. That amendment is included. Mayor pro tem?

>> Tovo: Thank you. So it looks as if -- let me take out number 3 on my list first since that also appears on councilmember Casar's amendment. And that is to revise the smart housing program and the language change would say -- would add the language. And to better balance developer benefits with unit construction.

>> Mayor Adler: Is there any objection to this amendment being made? Seeing none, that amendment is incorporated.

>> Tovo: Next would be the one at the top of the page.

[6:47:56 PM]

There is one slight change here. The staff have edited this section and so my change in line -- I think we'll see it up here in a second, in the second sentence. It reflects their language change.

>> Mayor Adler: Is this number four.

>> Tovo: No, I'm sorry, mayor, it is number one, which addresses occupancy limits.

>> Mayor Adler: Okay.

>> Tovo: If you see on on here there's one change after our revision sheet, and that is the striking out of has a provision excluding groom rooming or boarding house type settings from the limit. Because that was an edit that staff had made. So that's not what I'm proposing, that is already incorporated. I'm just trying to reflect the language that is currently in the plan. And that's no longer in the plan.

>> Mayor Adler: Okay.

>> Tovo: So my additions would add language that makes it clear that the ordinance with -- with the ordinance that regulates occupancy limits only applies to structures built after March 31st, 2014. This is a common point of confusion and I think it's worth clarifying in this section where we're talking about occupancy limits that it only applies to new construction after 2014. It does not apply to existing construction, existing houses that are on the ground. And really to me the line about the occupancy change could raise the cost of housing from related roommates. Of that certainly could happen. There's

also -- and we heard lots of testimony about this when we were debating occupancy limits. Having an occupancy limit could also discourage the demolition and replacement of existing housing with newer, costlier alternatives. So it seems to me more in balance that either of those things is possible. And indeed in areas where they were seeing lots of demolition and construction of what are termed, you know, in common parlance, stealth dorms, I think during the process they changed that to high occupancy housing.

[6:49:59 PM]

But when you -- we had neighbors coming forward and others offering real specific information about how that had changed the rental rates in those places, they were not being replaced where there was demolition and the construction of those newer housing, there was a substantial increase in costs to the tenants who occupied the newer construction. So that's that edit. And again, the line that I think we talked about on Tuesday, the city should continue to monitor whether and how occupancy limits have impacted new construction. And then it seemed to me clearer, rather than saying it could have an impact, but on the other hand it shouldn't because we have -- we would make -- we are required to make reasonable accommodations. It seemed to me we should say we will continue to strive to adhere to fair housing laws.

>> Mayor Adler: Any objection to incorporating these amendments? Mr. Casar. Is there a second to the amendment. Councilmember alter. Councilmember Casar.

>> Casar: I won't be able to generally support the amendments and if the amendment doesn't pass if we want to include clarification about this only applies to certain structures I would be for that. But I'm not going to be able to be for it because the language that is struck comes straight from our city approved impediments to fair housing report. So in our own report that explains our impediments to fair housing and to everybody -- this is a city document paid for by city consultants, it's exactly are this language is pulled up from, that annuals our existing regulations and says those regulations are likely to affect our student population and most likely implications for folks with disabilities. I think it's important for us to - to continue to acknowledge that for us to come up with the best balance of ordinances.

[6:52:06 PM]

So this is just pulled from a document that explains who may be negatively impacted by this. And I'm not comfortable saying that the occupancy limit necessarily discourages costly alternatives because in some of those same neighborhoods we're still seeing demolitions and even costlier alternatives in the form of just a single-family house being put up. So I just can't support this amendment.

>> Tovo: Well, mayor, I would request that we take them up one by one because I think some of these there could be common support. To me -- I'm happy to reconsider this --

>> Mayor Adler: Your request is to divide the question and I think that's proper.

>> Tovo: You think it's a problem or appropriate?

>> Mayor Adler: Proper.

>> Tovo: Thank you. So let's take it piece by piece. So the first change would be adding the language only applies to structures built after March 31st, 2014.

>> Mayor Adler: Is there any objection to that amendment? Hearing none, that's incorporated.

>> Tovo: Okay. The second would be adding the balance of the along I just described, describing that which acknowledges that we have seen examples of both things.

>> Mayor Adler: Is there an objection to this one being included? Mr. Casar?

>> Casar: I won't vote for this one.

>> Mayor Adler: It's been moved and seconded. Any discussion on this item? Those in favor of this language please raise your hands. Ms. Houston, mayor pro tem, me and Ms. Kitchen. Those opposed? I'm sorry, Mr. Flannigan. That was five. Raise your hands again, please. Six. Ms. Alter is six. Voting no, Renteria, Garza and Casar, troxclair and pool pool off the dais. That one is included.

>> Tovo: I would like to ask staff about that next line because as I understand the text here about the limits are most likely to affect, et cetera, et cetera.

[6:54:13 PM]

We are not allowed to -- students are a protected class within the city of Austin as are persons with disabilities. We would have to make a reasonable accommodation. To me this line just creates confusion saying that it could have an impact on them, but it's not allowed to have an impact on them.

>> We've already recommended that those lines be removed.

>> Tovo: Okay.

>> That's part of the staff recommendation.

>> Tovo: I'm so sorry. So that is the limits, et cetera, is already removed? So that's not -- I got confused about that. But I would include that other line saying we're just going to strive to adhere to fair housing laws.

>> Mayor, on the last line if I could say that the city should continue to submit to fair housing laws.

>> Tovo: Much better, thank you.

>> Mayor Adler: So the third amendment being offered is the last line, the city should continue to adhere to fair housing. Does anyone have objection to that? Hearing none, that's included.

>> Tovo: So then my last is -- no, I'm sorry, I have two more sections. Number 4, implement density bonus program. Replacing the line relaxation of parking requirements could maintain affordability and maintain neighborhood character. This is unteamed to really try to be specific that we're talking about WHE we're talking about affordability because I think THA terms start to be bandied about in a way that's not terribly clear. So just to be really clear, relaxation of parking requirements could reduce the costs or rental rates of units. Then adding the provision, such decision should be made with consideration for neighborhood context and the amount of current and projected multimodal transportation options.

>> Mayor Adler: Any objection to the inclusion of that line?

[6:56:18 PM]

Mr. Casar?

>> Casar: I'm fine with reduction of parking requirements could help with the costs of rental rates of units. I couldn't support because these things are implied throughout the document. We can't just go in -- I wouldn't support going in and picking certain cases that we'll take into account the bus service, take into account neighborhood character, take into account what the community would say. I think it's important for us to list out -- I think it's clear that we have to take many things into consideration, each of these programs. And I think this section, second section of the sentence implies that we're reluctant to apply this strategy. So I would feel more comfortable not having the second section.

>> Mayor Adler: As to the first clause, any objection to that first clause being included? Hearing none, that first clause is included.

>> Tovo: And I'll make the second as a formal amendment then and say we had a little discussion about this before in the context of councilmember Houston's amendment. I do think decisions about parking requirements should be contextual. That we should pay attention to the other factors on the ground. And I don't think it's implied. If we say and -- I think it's necessary to say that we should take into account context.

>> Mayor Adler: Mr. Casar?

>> Casar: And I think we certainly would take into account context. I'm just afraid that including this as one of the amendments we make to this plan seems to imply that -- that the opportunity to create an

affordable unit in a neighborhood is important to us, but what's really also really important is these other considerations. And for me that affordable unit of the neighborhood is of higher importance to me than parking spots. So I just don't want to include it.

>> Mayor Adler: For me I'm going to support this language because I think the contextual element is important and I have tried to stay true to that in the discussion of the -- of kind of the balancing or the Austin bargain that I've talked about.

[6:58:32 PM]

Any further discussion on this clause? Yes. Councilmember alter.

>> Alter: I also support it. I think this is one of those pieces of plan where we've heard the most concern from the community and I think it just clarifies that context is important when you're making these decisions about parking. And so I would support it.

>> Mayor Adler: Okay. Any further discussion?

>> Houston: I would support it because I think that one of the things that we keep hearing is that the proximity to multimodal transportation options is something that we should strive for. And so I think that makes it clear what we're asking for.

>> Mayor Adler: Any further discussion? Those in favor of this clause please raise your hands? Those opposed? Mr. Casar voting no. Others voting aye. Ms. Pool off the dais. That one is in.

>> Tovo: And then mayor, my last change in this is really just because I've added so much language that I thought it could be unclear which programs we were referring to here, whether we were referring to multimodal transportation option programs or whatnot. So I just inserted the word back density just to be --

>> Mayor Adler: Anybody have a problem with including density? Hearing none, that's included. Okay.

>> Lastly, allow the development of smaller houses on smaller lot S. I have inserted the word "Vacant." I have inserted the word "Maybe more likely to be affordable" small lot renovations could be revised to be a little less descriptive and also open up just to really be clear, that they are not always more affordable, and then the last line adds, and maybe we should take these up separately as well unless there's support just to add them to the resolution, which would be great.

[7:00:39 PM]

Such regulations should take care not to incentivize the demolition of existing housing stock and I would say this, in many ways gets back to the discussion that we had earlier with our demographer, where he talked about the unintended consequence, some of which is we can adopt things. This is my words not his but we can adopt certain provisions and code that actually intendcy vice the exdemolition of existing housing stock. I don't think that should be our goal, I think we should be careful of that. We should take care not to incentivize the demolition of existing housing stock.

>> Mayor Adler: Let's go ahead and take these in turn.

>> On this one, I actually -- unlike the other ones where I clearly wasn't fighting too hard, this one I created a substitute amendment to that. I think addresses many of mayor pro tem's concerns. But -- and I think addresses mine as well, and we can discuss it if I get a second. It's on this Orange piece of paper.

>> Mayor Adler: Miss kitchen seconds it.

>> The difference between my amendments and mayor pro tem's, are I removed the word "Smaller vacant lots." I think we're not just talking about -- I would not like to talk about smaller houses on smaller vacant lots. I think there's the opportunity on homes that are going to be demolished for -- on places where it's formally commercial development or parking to have smaller homes on smaller amounts of space. Second, I have changed to say this would help produce more housing choices that are generally more likely to be more affordable than houses built on larger lots as opposed to may be more likely. I think that it's -- it's pretty clear that requiring a house to be on a larger lot, has an overall negative affordability effect.

[7:02:49 PM]

My -- what my statement -- the reason I included the word generally is to get to your point that there are case, of course, where a small expensive house can be on a small expensive lot and you can have a cheap small house on a cheap big lot. Those things do exist and I think that should be acknowledged but I think that we don't want to unintentionally say that it might potentially be, and we should research whether or not big lots, in expensive areas of land will be more expensive than smaller pieces of land. I think it's generally true that a smaller piece of land compared to a bigger piece of land is going to be less expensive. I think that's just the case and I don't know of anybody arguing on the city staff or on the dais that mandating a larger lot is going to be cheaper. And finally the last considerable difference instead of saying such regulation should take care not to incentivize the demolition of such housing stock I change that to such demolition should incentivize more housing choices rather than viewer. I think the point of this we're trying to create affordable choices and more affordable housing across the range of incomes. We're not committed to not doing anything that might result in a demolition, loss there's going to be demolition, and I think our goal is to preserve affordable housing stock.

>> Mayor Adler: Miss kitchen?



>> Kitchen: I have a question. I wasn't -- it makes sense to me not to include vacant. And I wanted to ask mayor pro tem what her reasoning was to insert vacant.

>> Tovo: Sure. In part, it goes to the last line.

[7:04:51 PM]

I think that -- I believe that our regulations should not be incentivizing the demolition of our existing housing stock and if we're talking toward and having code that's encouraging smaller lots, number one, the facts on the ground are not that people are producing smaller houses on those smaller lots, they are maxing them out, maximizing them and we've seen in different area, the demolition of existing housing, and I think if our code is supporting that kind of -- that kind of carving out of existing tracts into smaller pieces, and the reconstruction of newer housing. Number one, I don't think we're going to -- the -- what we're seeing now is not the construction of housing that is affordable. I mean it may be cheaper than a house on a larger tract but it's almost not always cheaper than what was there before, and so vacant was an attempt to capture that. I would say, if that's causing people trouble, I would at least urge you to adopt the line -- I think my initial language is broad enough, maybe more likely, I think is better than generally. Because it is -- there is substantial evidence to the contrary that the resulting new housing is more affordable than what was there on those tracts before, but it acknowledges that it certainly might be in some cases and I am not sure we are both in agreement on should be advised but there's a substantial in saying the regulations should ensendty vice more housing choices rare than fewer, or we should work to incentivize existing housing stock.

[7:06:58 PM]

S it a question of what kind of communities we have. We want them to have affordable housing choices and we want to preserve the character that made the neighborhoods throughout Austin attractive through the years. I don't want to see an Austin that looks like a cookie cutter any city in the country so, I think we will continue to have this conversation through the land development code discussion, but, to me, it is also a value to preserve some of the character of the neighborhoods that we have.

>> I don't think anybody is disagreeing with that. I'm certainly not disagreeing with that. I just simply think that inserting "Vacant" is too narrow, while it is true smaller houses on smaller lots do not necessarily equal affordability, they can sometimes, depending on where they are and all of the other circumstance, so, I'm not comfortable with inserting "Vacant." I do prefer your last sentence to councilman Casar's so maybe we can take these separately.

>> Mayor Adler: First let's take a vote on whether to include the word vacant. Miss Houston?

>> Houston: This is not just about affordable housing this is about things like impervious cover which also has a negative effect. The other day we had a lot with 65 feet impervious cover and they subdivided and we had a flag lot with 45 impervious cover, so, together that increased the impervious cover that's going to significantly impact the down stream neighbors in the watershed. So it's more than just housing cost when we start thinking about these lots and how we subdivide. There are more things like impervious cover that we need to be talking about.

>> Mayor Adler: I'm going to support taking out "Vacant" because I think the thought is the same regardless that we need to measure.

[7:09:03 PM]

I'm going to support generally as opposed to maybe. I appreciate that both my colleagues are trying to make a sentence that was not prescriptive, those are really close on the balance, but I think it's more true than not. I think generally is better than maybe and the last sentence, I would support Greg's sentence, but if it passed, Greg's sentence, then I would want to amend it to include a phrase after it that I think also addresses what mayor pro tem was saying and that's to say it also should be incentivizing preserving neighborhood character, so both of those concepts there. All such regulations to should care to incentivize more affordable housing choices rather than fewer and then I would add, if this passes I would suggest an amendment that says and preserving neighborhood character and both factors are there.

>> If I can add that to my note, I could just consider that.

>> Mayor Adler: Anyone have an objection to adding that phrase? Theoretically it's not possible it's an amendment to an amendment but we'll let that go. I like the last sentence that says take care not to incentivize more housing and preserving more neighborhood character. That's how I would do it. We'll vote on these in succession. The first is inclusion of the word vacant.

>> No, I think -- I made an amendment to her amendment which strikes the word "Vacant."

>> Mayor Adler: Okay. So we have an amendment which had the word vacant" in it. The amendment to the amendment is striking the word vacant. Those in favor of striking the word vacant?

[7:11:04 PM]

Those opposed? Vacant is stricken. The next is changing maybe into generally. The amendment to the amendment is to put in the word generally. Those in favor of the move to generally, please raise your hand. Those opposed? Same vote. With three voting into. It passes. That gets to the last sentence. The amendment is to change it to me -- take care to incentivize more affordable housing choices rather than fewer and preserving neighborhood character. Those in favor please raise your hand. Those opposed? Yeah, I put in and preserving neighborhood character at the end. Those in favor please raise your hand. Houston, Casar, kitchen, Renteria, troxclair, kitchen. Those opposed? Pool off the dais. It passes. There's that last one -- there's one more that says --

>> Four against or three against?

>> I think there were three against. It was alter, mayor pro tem and Flannigan. That takes us to the last changes we haven't discussed. Apparently is that what the change could be to generally? Are generally more likely?

>> That's the same thing.

>> Same thing as we had before. So in the next paragraph still under small lots could bibiing changed to generally. Those in favor of generally, please raise your hands. Flannigan. Those opposed, it is alter, Houston and mayor pro tem. Others voting aye, that change is also made. Pool off the dais.

[7:13:09 PM]

Okay? Now we have to vote on the mayor pro tem's --

>> Mayor Adler: Now we vote on the matter as amended on small lots. Those in favor of the amendments we made please raise your hand. Those opposed? Everybody on the dais. Pool off. Any other amendments?

>> Tovo: I'm just reviewing quickly.

>> Council member Casar, did you say you were bringing another amendment or did we do that already?

>> Mayor Adler: Because we're quick. Done? We have the strategic housing blueprint in front of us. Moved and second. It includes the changes as proposed by staff as well as the amendments that we have made. Any further discussion before we vote? Miss troxclair?

>> Troxclair: I was just hoping that we could divide the question in two separate votes one on pages 1 through 18 which is the housing plan and then the rest, 19 through the end is the tool. I want to wholeheartedly support housing and making sure that we're keeping up with the supply to keep up with their demand, et. But I do have -- there are some things that I just absolutely cannot support in the tools

section, like advocating the legislature for things like rent control, so, if it's at all possible for us to divide the question, I would appreciate the ability to address support for the first part and pull my support for the second.

>> Mayor Adler: We'll divide the section. Those in favor of pages 1 through 18, please raise your hand.

[7:15:12 PM]

It's everyone on the dais. Pool off. Now we'll take a vote on 19 thereafter which includes the tools, those in favor, please raise your hand. Those opposed? Troxclair voting no. Pool off the dais. It also passes. Okay. So that is incorporated into our comprehensive plan, the blueprint is. All right. That gets us to the last item that we have, which have Austin oaks. Yes? A minute to get organized is granted. Housing staff, you guys did a great job. Thank you tore this.for this. Ready, mayor in.

>> Item 26 is --

>> Mayor Adler: Jerry, hang on one second. Are you ready? We won't go that fast. Now, Jerry.

>> I can promise that. Okay. Item 36 is case 340120.

[7:17:14 PM]

Austin oaks put for the property located at 3429, 3435, 3526, 36, 37, 3724, and 3737, executive center drive. Executive center drive and 3601, 7719, this is a request to zone it pud. This is third reading of the case. I'm not going to do the staff presentation. I think you heard it a couple of times but I want to offer up amendments staff would recommend before we start getting into the the council amendments. The petition was valid this morning at -- I think it was 24 something percent. This morning we had one signature taken off and a couple signatures added on, and as of right now, the petition is not valid at 19.83 percent, except a few moments ago I was handed a letter with a signature from a gentleman named Larry slater, representing into properties L.P., he's responsible for 46 percent of the petition, so taking his name off, it's 14.1% so the petition is not valid at this time. I also have amendments staff would like to offer up.

>> Okay. The first addresses the issue of the use of the first floor of the additional -- or, off the residential portions of the property. Staff would like to see some requirement for commercial uses on that first floor and the ordinance, as it currently states is rather vague as to what amount of commercial uses there would be.

[7:19:20 PM]

So, staff would like to offer up the following amendment that on part 5a to add a requirement for 2500 square feet of commercial use. At least 2500 square feet of commercial use on the ground floor of multi family residential -- and multi family residential above the ground floor so basically on the two buildings would require 2500 square feet of commercial space on each one and the applicant is in agreement with that amendment.

>> Can you repeat the buildings? Because I think you --

>> Sure. The language would be -- mixed use development is required on parcels 8 and 9 with 2500 square feet of commercial use on the ground floor and multi residential use on the ground floor.

>> Houston: Can we get that put on the overhead so we can see what has been said or recommended? The second part is address the buildings amending part 5 letter "H." On part 3, we recommend it changing to saying the parking garage on part 2 serving buildings 3 and 4 is limited to 88 feet at 8 1/2 levels and building 5 on parcel 4 is limited to 53 feet and number 5 building 6 on parcel 5 is limited to 53 feet. In all three instances this is adding three feet to the height of the parking garage. The reason for that, the designer of the building failed to take into account the required height of a loading dock. Could be loading dock inside a parking garage and I believe they failed to take into account the height of the beam in the ceiling, so this would add three feet to that to allow for that clearance. The third part would address --

>> I would like to ask a question on that, if I may.

[7:21:22 PM]

>> Sure.

>> So the applicant is asking us for additional height. May I know which community benefits he's giving us in return.

>> I guess you have to ask the applicant on that. Staff position is we feel for three feet of additional height does not get him an extra floor, it's just to accommodate technical requirement, has to do with the height of the truck in the loading lock. So this is rather just a requirement of the physical building.

>> I -- I'm a little surprised that this is coming up now when this has been known about for a very long time.

>> I think the applicant can address the issue, I think it was a mistake on the designer's part.

>> Before we vote on these, I would like that. Thank you.

>> The other part has to do with the transportation issue, and the council member pool when she was here last time offered an amendment to include even though it's included in the restrictive covenant to include the trip cap in the ordinance. At the time the number being discussed was 19,648 trips, if you may remember, I said we should call those unadjusted trips because I didn't want them to be able to double count adjusted and unadjusted and get a higher number. Turns out we were mistaken. Pre proposed language to say site planner for the property may not be approved or ush eyed. If acumulative -- or traffic that exsides 15,562 adjusted trips per day. A request to change the 15,562 adjusted trips per day requires approval by council. I like to add words before that, new trips per day, so, what this is, the traffic generated by the jemt is proposed to be, us using rough numbers 16,000, there's a 1,000 adjustment for internal capture.

[7:23:25 PM]

There's 4,000 trips on the property a day. The 19,000 is the total in the tia. However I would like to include adjusted in there so it is clear that's the number that should be used. It is not adding more traffic just clarifying the tia memo and the final part has to do with parking and there was some discussion earlier about the parking proposed by the applicant. There is an announce in this case for a reduction in the parking and urban core and the part that refers to the change in the parking we think should refer to parking requirements and urban core reductions. We add 2672a and it's just a code reference issue, doesn't change the numbers.

>> I had a question on the transportation. Did I hear you say you were going to add some additional language to what's up on the screen? I may not have heard you correct limit.

>> Yes, I would like to say where it says 15,000 adjusted trips per day, I would like it to stay 15,562 new adjusted trips per day.

>> What's the reason for the new?

>> There's a credit given for the 4,000 trips that already exist on the site per day. So the total trips stated to me 19,000 that we stated last time. The transportation department would like to refer to it as 15,562 new trips and if you look at tia you see there's already 4,000 trips in there already existing.

>> Is this remaining consistent with the number of trips that came out?

>> Yes, yes. It's consistent with the number of trips.

>> I guess my question is, how would you know if they are new.

[7:25:28 PM]

I thought this was just setting a cap.

>> It is setting a cap. The difference is there's already 4,000 trips today. The new development would add 15,000 trips to that for a total of 19,000. This is stating in the ordinance repeating what is in the restrictive cover fence saying there's 15,000 new trips and I have transportation info if you want to do that.

>> When you measure it after the development, and we're determining what the cap is, what your measurement at that time should be, you are saying it should be 15,562 plus the existing 4,000, right?

>> Yes. Throughout the tia, we reference the adjusted trips or new trips throughout. Part of our desires is to be consistent with that. This gives applicant more leeway and allow that cap to increase. It just maintains consistency throughout. When the original of 1900 or so trips were discussed, that came from the dais. We might have read the wrong number. It's 19,000 and change, close to 20,000. That's not changed but the number that we're confident in and we used throughout the tia is the adjusted number at 15,000.

>> So, last question then, so, for purposes of being able to evaluate what is happening on the site, are you saying it's not necessary to actually put the total cap? Because when you go out there, are you going to have to measure, and then back into it? Because that number is not actually the cap?

>> Right. But we know how many trips are being created today. So we can compare the news to what we see today.

[7:27:30 PM]

Eric, would you like to --

>> To what you see today, not at the time that you measure it, right? I'm just thinking that it might be clear that if you use both term, so it's 15,000 adjusted, not to exceed a total cap of the total amount. I mean I'm just concerned about what happens seven, eight, nine, ten years from now. There may be some confusion what the total cap may be. Does that make sense what I'm asking?

>> The reason we preferred the 15,000 number, like Mr. Spiller said was all of the analysis, all of the impacts to the network, over the mitigation associated with the impacts are based on the 15,000 number U.

>> I think what we're trying to say, shall not exceed 15,562 net new trips. We're trying to meet the ambiguity. You can look at these and say any of interpreted as adjusted numbers. I think 15,000 and changes are what we're basing analysis on. To us, it's really the benchmark of what the tia is based on.

>> Okay. Just explain to me so I understand how you measure that.

>> So, in ten years from now or whatever, how would you measure that there's compliance?

>> It's not necessarily the compliance. We can look at the -- measure traffic in terms of taking counts. There's some, for example, a signal is a signal warranted in the future. We can take a look at counts, measure them, compare them against a series of warrants and see if it's appropriate to signal wise. That's kind of a back check to see the true impacts to the network.

[7:29:33 PM]

>> If I can add a little to that, the way we enforce this is not necessarily after it's built but prior to when it's built. We cap the trips at 15,562 new, 19,645 total and as site plans came in, we would add the traffic. An office building would come in, we say this is this many square feet. We subtract that off the total. Necessary building comes in, et cetera. Et cetera, making sure the total development at the end of the day doesn't exceed it.

>> And just to reiterate, council member, assuming this development is built in pieces as new pieces are added, you can certainly measure the trips at the driveway and compare that to the existing trips at the driveways and find what the difference is, I think that allows, as those new pieces come in for development, to have that discussion with developer, where they are with with respect to the cap.

>> So, for future reference, can you tell us which is higher, unadjusted or adjusted? Because the concern is going to be to have the least amount of traffic possible and not be granting additional traffic than what we granted in the prior reading, and since we got conflicting information, can you go through how those terms play out in terms of which gives you more traffic?

>> Well, in terms of unadjusted it starts with the, if you will, the raw rates or equations for the land use. And then there's a series of adjustments that occur. Might be a little hard to follow on the table but for example there's over 20,000 -- there's a 5 percent internal capture reduction which means the relationship among the land uses. You can take a reduction off the raw generation, recognizing that somebody using one part of the site, one land use, does not necessarily generate another trip to use another one.

[7:31:44 PM]



So, that gets down to the 19,000 and change. There's a credit for the 4,086 trips generated by the existing office. Once the math is done it's net 15,000 trips and change that the analysis is based on. They are related to each other. So, essentially none adjusted would be the 20,000. The adjusted -- you could view as 19,000 and change. We look at it as 15,000, ultimate reduced value that the analysis is based on.

>> But if we were to put a limit on 15,562 unadjusted, we would have less traffic than we would if we put in a cap of 5,062 adjusted?

>> The adjusted trips are new trips created by the development. They are already getting credit for the 4,000 or so trips today. So, really, what we're doing, because we can manage the new trips or we can regulate the new trips, what they have today is what they have today, the 4,000 is sort of the starting point for this calculation.

>> I guess my question is that ultimately what my constituents care about is having the least amount of traffic and we passed it, saying it was unadjusted at one level and then we are saying that it's supposed to be adjusted and my question is, if the number, 19,000 or 15,000 that we want to use for reference, if it's unadjusted does that imply less traffic than it being adjusted?

>> I do not believe. I think it gives -- no, I think they are essentially the same numbers even though physically, one is 19 and one is 15.

>> I'm not asking about the -- excuse me, sorry to interrupt. I'm not asking about the number. I understand where you got the 19 versus the 15. That, I'm not arguing with.

[7:33:46 PM]

My question if it's adjusted versus unadjusted does that imply more or less traffic?

>> Neither. I think they don't.

>> Okay.

>> Going to one doesn't allow them to have any more trips than if we use the other. For consistency we recommend you use the adjusted 15,000.

>> That's what I was trying to clarify. And then I had a question for Mr. Rusthoven if nobody else has questions. I want to confirm when you confirm the 2500 square feet there, that is the same -- does that allow them to do more than just retail? How do we interpret what could go there under that classification? Sometimes you've heard of retail, and sometimes it's commercial. I want to clarify what uses they're allowing, I am all for having it be mixed use, I want to clarify that.

>> I'm trying to find the chart. Here it is. Right now it would be very limited. The applicant would like to expand the possible number of commercial uses and I don't believe the staff would be opposed to his request. Right now the list is communication services which is utility thing, food preparation, food sales, the parking lot, of course, for the uses, religious assembly and restaurants. So, in real life that limits it pretty much to a restaurant. The applicant would like to add general retail sales convenience, which is retail, as we know it, as well as personal services, which are things like hair salons and fitness studio and such and would also like to add pet services, which are things like pet stores or a vet's office. To increase the marketability, if you will, of that 2500 square foot space that you have on the first floor of the residential building.

[7:35:54 PM]

So, staff would not be opposed to those amendments but right now it's pretty much limited to a restaurant. The concern is if they couldn't find a restaurant they would have to leave the space vacant

>> That's specifically for parcel 8 and parcel 9.

>> Correct. If you like you could make an amendment to add general retail sales, convenience, personal services and pet services to the list of permitted uses in exhibit "D" under uses permitted in the restaurant category. If you like I could write language for that if that's the council's desire.

>> I'm sorry, I thought we were discussing the restaurant tract. But speaking to the residential tracts only, their permitted uses, that would be allowed there for the commercial. Include a wide variety of commercial uses, including admin and business office, art gallery, art workshop. Communication services, financial services, food sales, general retail sales, general -- let's see. Personal services, pet services, professional office and restaurant.

>> So, just to clarify then, for the retail that's being proposed under parcels 8 and 9 that would be part of the mixed use residential. That's the one that would have the more expansive recommendation. That's what you are recommending at this point.

>> We are not discussing 3 and 4 at this point, correct?

>> The language today just said mixed use development is required in parcels 8 and 9 with commercial ground floor use and multi family use above the ground floor.

[7:38:04 PM]

I was concerned that did not define how much commercial there was.

>> So it's 2500 square feet.

>> It got to 2500 per building.

>> Thank you.

>> So we have a base motion. Is there a motion to approve what we had last week with the changes that staff laid out? Is there a motion? We're looking for a motion. My understanding is -- I'm going for a base motion. What's on the -- what's the proposal on this.

>> The proposal on the table, we have a potential third reading. I think an appropriate motion would be take a motion on the third reading with amendmentes recommended by staff.

>> Mayor Adler: Is there a motion to approve on third reading. Moved by Mr. Casar, is there a second? That motion is Garza. Let's go and get public testimony. Is the applicant here? You can open. You have five minutes.

>> I think we have some people that donated time. Mayor?

>> Mayor Adler: Yes, you did. Is Laura tupes here? Is Linda Dockery here? Then you have 11 minutes.

>> Michael Whalen on behalf of spire realty. I'm going to run through these quickly and address some motions I heard about. I know there's a lot more time to discuss. First I wanted to talk about what happened on second reading so everybody could physically -- I'm sorry -- so everybody could see what we were talking about. This was the original preferred plan that was done.

[7:40:06 PM]

It had -- you can see the purple is the hotel. Blue is office, red is retail, and then you have on parcel 9 the multi family with the park next to it. So the supreme on second reading was to move the five story 125 square foot office and retail to where the hotel is and eliminate the hotel so that's what happened kind of as the first move. Then, a new multi family building was added to parcel 8 and you can imagine it had ripple effects. We had to relocate 125,000 square feet of office that I just showed you. That added 1,000 square feet to parcel 6. We added 25,000 square feet to building 3 so we would get back to even with 125,000 square feet. We would keep the parking height the same on 6 and 7 even though office retires more park sog we added parking garage above the restaurants. There was a motion that passed to add a floor on parcel 9. That's a building 100 yards away from homes. It's over 390 feet awayrom single family home as cross hart lane and two floors of commercial were added on building 4 for community benefits and, as we know, that required the addition -- or, the addition after 25,000 on building 3 and 40,000 on building 2. Both of those are on parcel 3 required two level of parking to be added. We'll look at that in a moment. What did I say? Here's the updated plan. Parcel 8 added. No more commercial no more hotel.

We now have multi family red is retail facing the park and streets and as you move toward mopac you have the restaurant and retail in red.

[7:42:10 PM]

First thing, you have as I said 100,000 square feet of office and 25,000 square feet on parcel 3 to get you to 125. We then kept that garage the same level but to accommodate the needed parking for the 100,000 square foot of office, we added park, on top of parcels 4 and 5 that's 53 feet then on the four story 175-unit apartment complex with ground floor retail it was added on second reading and an additional floor was added. This is the one that's more than 390 feet away from the single family residence. That's what happened. Two floors on the right were added up against mopac on building 4, and the parking garage had two levels added to accommodate the 65,000 square feet of office that was added on that parcel. Remember we took away 125,000 originally from parcel 8 so that's a lot. But that's what happened on second reading. And we can go back and review any and all of that of course.

>> I wanted to talk about minimum parking requirements. There was a lot of discussion about that. I had an opportunity to witness the work session, and the first thing I really wanted to emphasize is people do not design to the minimum. The minimum is -- and the reason it's -- that people don't design to the minimum is the market won't tolerate that and I think we saw that from the back-up that people received, and I thought I brought my copy here, but there was the back up has, as we know, a parking analysis of lots and lots of class "A" office space, and very few, if any, are anywhere near the minimum, and the reason is, parking in the city of Austin is a way to control density, and what happens is, if you limit somebody's parking levels, you limit their ability to build office.

[7:44:16 PM]

That's just a fact and that is exactly what will happen here if these levels are reduced, and it will not work for a drawing, we got this as tight as we can. One thing that's important to note, our number falls between the minimum number we selected and we had out there more than a year, was a number between the minimum parking requirement outside the urban core and lower innum requirement inside the minimum core. We have a number that's right in the middle. Not right in the middle. And that you saw from the analysis that Mr. Rusthoven shared with you at the work session. One reason we did the parking garage. We were encouraged by lots of neighborhood to build parking garages because it reduces impervious cover and gets cars off the street. There are a lot of people that want more parking garages so people would be off the street. There has been confusion about this. I own that, that's my fault. I had not been as clear about the minimum requirement and where it's coming from. We had our minimum requirement out there based on what we thought the market could bear in terms of lowest

possible minimum and that's what we roughly designed to when we have the levels of parking. As I said, it was -- it's been published for over a year and I think what's happened with this and I think we've seen it, in today's society, when somebody makes a mistake, it's elevated quite a bit and obviously, social media and opportunities publicly, or privately, create an opportunity -- a nice opportunity to pin somebody on a gotcha. So, the proposed put parking, as I said, the minimums are between the urban core minimum and standard core. As you heard, Mr. Rusthoven. He mentioned some garages, I ask please mercy for someone to make a mess to allow to make sure each garages have the additional three feet.

[7:46:25 PM]

The land planners not the architects, the land planners that worked on the design and gave the original heights are here to explain what happened. They are not architects, they did not know about the beam so they have loading docks inside the garages and without it, we'll obviously not be able to have the loading docks inside the garages. Is a gotcha in today's side and I'm pleading a little mercy from folks frankly on that. You saw already, I think we got to develop older sites, we end up hurting ourselves. It encourages sprawl, it's bad for the environment and hurts our tax base. I know councilmember Flannigan had question with regard to that as well. Less something did change. We spent hours on housing and housing has become priority for this council and ultimately, perhaps where we are, L, we found from your perspective, we're balancing the need for housing, request for a neighborhood park. Reasoningful housing occurs on d7, d10 and d9 and here will be actual containment on the creek, removing impervious cover, over two acres of impervious cover being removed. Increased tax base rather than sprawl. Tax mitigation which was leveraged up to \$1.6 million. There's connectivity and, of course, affordable housing. Again, reminder, moving from 66% which is 59%, which is a reduction of more than 2.1 acres removing 1.6 acres of impervious cover in -- we're doing 20,000 feet of cubic stormwater. Laying back the unnamed creek and restoring the bank.

[7:48:30 PM]

\$1.5 million in park development dollars to be used on the remaining park and remaining money to be used on heritage park. We're paying all of the money for the restoration of the creek and heritage trail, et cetera, et cetera. And all of the money for the demolition. There's 44 percent more open space than required on this site and ultimately, which is a good thing, there's -- we're preserving at least 75 percent of combined heritage and protective trees. There are larger streetyard industries, multi modal improvements and traffic cap less than maximum legally allowed. You already had a nice discussion about Mr. Bollack and Mr. Spiller on that. As a reminder, staff did recommend approval of the, with

about 700,000. We're now at \$1.6 million of traffic improvements. More than two X of what was originally recommended for approval of zoning. Finally, affordable housing. And I showed this data before. District 10 has 1 percent of citywide units, it's the lowest amount of any district right now. Austin oaks plan, the current plan, would increase the number of income restricted units by 25 percent from 175 to 220. And that translates, neighborhood housing's memo, that translates to a community benefit of more than \$12.8 million. That's meaningful and again, maybe that's how we tie into -- well, it's obviously very meaningful. So environmental, detention, parkland, open space, affordable housing, mixed use. It's a nice mixed use. A lot of people spent a lot of hours you spend an incredible amount of time of which we're very grateful. I hope when you talk about parking levels. Certain numbers for affordable units.

[7:50:33 PM]

A minimum number, you I hope you give me an opportunity how that impacts development because it will have an adverse effect. Thank you very much.

>> Mayor Adler: Is Shannon Maroney here? Is Karen "C" Ceroni here? Want to speak? Is Brad parsons here? No? Is Kathleen vermilion here? You have six minutes.

>> Thank you. Mayor, mayor pro tem and council members, my name is Karen Ceroni, you heard from me before. Last time I was here, I told you about the machines that were put into our environ in a job that I was holding and how people were laid off because of those machines. What I didn't say is more machines kept coming and more people kept losing their jobs. And the reason I mention this, is if you approve the loss of this many heritage tree, the more we'll ask, and the more we'll come.

>> I want to remind you what the trees look like. They are all individually painted. This is Selina. Pine top. You notice part of the tree is black. That's because this tree will be killed. This is Patsy cline. Buck Owens. Buddy holly.

[7:52:35 PM]

Marshal ball. This one represents Stevie ray Vaughn. This is Janis Joplin. And this one, I'm going to let you try and guess but I know you don't know it, so I'm going to pass on it. This is our lady yoga, you might see by that foot there. That's why it's called lady yoga. This is Whalen Jennings. This is ray price. And the hardest one to do was Willie Nelson and I couldn't figure out why and I think I got it. Willie Nelson looks horrible, and I tried to make it look good because he's going to be saved and removed. Which, if you move the trees I ask that you move them to far west boulevard because the speed limit is

35 miles an hour, and we are not allowed to landscape it so oak trees would really be wonderful there. The reason he's black inside, is because all of the trees that he grew up with are going to be killed. And so when I couldn't get him to literally look good, I decided there was a reason. And that was the reason. There have been a lot of developments today that are kind of strange city land that is not an easement. It's city land, it's what? The city has had the petitions that we sent over three months and new things keep coming to light. So, the question is, why are we just now finding out about this strip of land? We know that a couple of the people that signed the petition have been threatened. I'm not going to mention names, because that's not fair to them because they have withdrawn.

[7:54:39 PM]

And so, you know, right now we don't have a valid petition, but a lot of things have changed today. The president's -- had we had the valid petition, when we did have it and everything kept being postponed, we would be in a different place right now, and precedent has been sent that if there's a member away from the dais, that, in fact, there is no vote and the council could actually opt to do that if they wanted to. This week, you also got information about salamanders. The restoration of the quote, creek, needs to be carefully monitored because we know there are joelville salamanders underneath that ground and I'm not hearing that mentioned and for the developer, I would have to ask, how much is enough? How much profit is enough? They've made more than double the amount since the purchase of that property in 2013. As you know, Custer had a last stand, and this is Karen's last stand. I have been a community activist all of my adult life with the city of Austin since 1983. I've seen many administrations. Some of you know me from before. We made lots of promises about things changing, about how staff can approve things and I'm just not seeing what's been promised all of these years. And so, one of the things that has come to light for me recently is, in 2010, you may remember, Hermine came through and did a lot of damage, I tried to get the repairs done. We didn't have the money I was told by Marty stump.

[7:56:42 PM]

Sarah hensly, on and on, go to the bond hearings, that's how you get money to do repairs. I went to the bond meetings. I was the only citizen at these meetings. I was able to get \$75,000 for bull creek park. Bull creek park has a plan. Not one thing that that money, I asked for is being done. Because the city staff says, according to this, this rule, that, whatever, we can do this, we do that. So, why did -- why did I I'm going to ask you to please vote now.

>> Mayor Adler: Thank you. John ruff?

[ Applause ]

>> Thank you, mayor, mayor pro tem. John Ruff. Royalty group. It's been a long process. You heard our story. And know the changes. I want to revisit the history a little bit. We purchased Austin Oaks in 2012. We did not purchase the property with the express intent to redevelop. Our business model, as many suggested did not hinge on the success of a rezoning case. Our profit that so many have been concerned with, was not reliant on something which we did not have by right. Instead, like everything we do, it was based on providing the market with the best possible product within the many limitations present. Between 2012 and 2014 it became apparent to us that the market was changing. The city of Austin was changing and product on the ground, what is currently known as Austin Oaks was not in fact the best use of the land. Austin matured much faster than anyone in my industry could have managed and there was and really still is not enough product to support the growth in result and demand.

[7:58:48 PM]

The 31 acres of land at the intersection of Mopac and Spice Wood Springs presented a great opportunity to address the city's growth demands after much consideration among ourselves we decided to seek zoning in order to meet market demands. We began that in 2014 two years after we purchased the property. Suffice it to say the neighborhood was not as enthusiastic about Austin's growth so we reset with the neighbors in 2016. As you are well aware, we participated and the end plan hundreds of hours of debate and expertise of legal design engineering experts. Since that plan the plan was refined to the point acceptable by staff and various board decisions to obtain ultimate approval at this level. Nonetheless I respect authority of this council and under the plan they require additional modifications to meet standards for approval. As I said before the while the plan is not a plan I would propose it can work as mixed use community. Nonetheless I'm aware of notions which may be made which are

>> Mayor Adler: SHAWN Compton is on deck. You have three minutes, sir.

[8:00:49 PM]

>> Hello. Council. I'm Lon, district 10. Give you a primer on zoning. The zoning is part of the power of the city. Directly land use is the bond race. The purpose of zoning is to promote the public welfare, safety, congestion, air and light, and protect places of historical significance can't. Zoning power is not unlimited. It must be rational and fair. Could you scroll up a little bit higher. Okay. It must be fair and rational. It had the criteria to -- is how it promotes the public -- it can't be arbitrary and capricious and such uses of the zoning power would exploit the city from both sides both from the applicant and the people. There's a land use plan being revealed next week on the 18th. I believe this is -- this seems to be



overly haste to go at it today. Fair -- no reason and due process. What happened, actually, in terms of due process and when we're looking at the cases, this is black and white, this is not discretionary. So what happened in this case is the intensity of the zoning for transfer is increased. Actually was increased just a few days ago. And in this cases, there -- due process needs to be observed. So I'd like to get a little nugget to your attention which is posted on the agenda of this meeting, the date of the draft agenda is dated for 4/12/2017 and 2:50 P.M.

[8:02:50 PM]

How close can you go with proper notice? I respectfully submit this does not actually comply with our post of the rules and for this reason alone, you cannot have this decision today. My guess is -- my ask is that we have a specially called meeting for this case with proper notices observed so that we can actually have a fair decision in this -- in this case. I realize it's a lot to cover, but this is basically I think a fairly big issue here. Thanks.

>> Mayor Adler: Just for the background. The date in the bottom left-hand corner was the date the document was printed, not the time it was created. That copy was printed on the date mark on the --

>> Sir, I believe this was actually the document provided the update time of the document itself and the printing time and this could be actually probably forensically proven.

>> Mayor Adler: Okay, thank you. Last speaker. Mr. Compton?

>> Hi, my name is SHAWN Compton. I'm one of the planners on the project. We were hired to work on the sure and there after we continued to work on the project to finalize the land use plan. Our previous - I like to speak to the parking garage. And I would like to own up to an error on my part. We use 12 feet as the first floor module for the garages. And that accommodates the commercial uses. As we began, we brought on an architect and for loading and offloading, we learned that 15 feet is the requirement.

[8:04:55 PM]

What I did not account for was a three-foot beam above the 15-foot clear zone for the parking -- excuse me, for the loading and unloading. The rationale for why we have about 15 feet remains the same. And that's for minimizing cover by having the parking -- excuse me, the loading and unloading within the parking garages, minimize impervious cover. And to allow for commercial and retail uses. I know Michael is mentioned. It's oversight and councilmember alter has also mentioned this and I humbly request that you add three feet to the overhaul height of the garages to accommodate for the

offloading -- for the -- for the offstreet loading and unloading. And I would like to thank you and answer any questions that you might have.

>> Thank you very much. .

>> I have a question -->> Mayor

Adler: Sir, sir?

>> I thought that's what we did by adopting staff's recommendation?

>> We did. It's in the base motion.

>> This is not something separate?

>> I was just clarifying.

>> Okay, thanks.

>> He mentioned to the garage, but not all of the garages. There's a total of six garages on there. He didn't mention all the garages.

>> So would this be another staff recommendation?

>> This be another -- Jerry? Would you be --

>> The issue applies -- again not adding another garage.

>> Yeah.

[8:06:57 PM]

>> So it is all of the garages that need the three feet we approved in the base motion?

>> They said when they made those presumptions, they didn't reside, then yes.

>> Mayor Adler: Any objection to the base motion being considered that way? Is there a motion for the base motion? Is there a motion -- an amendment so that the base motion would have the extra three feet for all of the parking garages. Ms. Garza makes that amendment. Mr. Casar seconds that. Is there any discussion about putting this in the base motion? Those in favor, please raise your hand. Those opposed. Councilmember alter voting no. Ms. Houston, no. Question was to have the base motion to have all of the garages to be three feet higher. We didn't need to have them all in motion. That's the three feet. That's a yes. So Houston voted no, alter voted no. Others voting aye Poole off of the dias.

That's part of the base motion. We are back up to the dias. We have a base motion in front of us. Anybody have any amendments?

>> I have one.

>> Mayor Adler: Okay.

>> On the last reading, it simply was -- I'll read it out. The new ordinance and back up to allow up to .8% of the required affordable housing to be met with it as follows on here.

[8:08:57 PM]

And so I'll explain it after I get a second.

>> Mayor Adler: An amendment to back up to allow the .8% for affordable housing to be met. Is there a second to that?

>> What this does, as I'll recall, we added two floors of office for about \$1.6 million in community benefit on last reading. \$800,000 of that was dedicated to affordable housing. This amendment states that at the -- at the city's option, not the developer's option. The city's option, the city can acquire affordable housing on site or take the money and spend it in the area around Austin oaks and around Austin oaks to leverage affordable housing opportunities. So this does not create any additional benefit for the developer. This creates more options for the city. It would be at the discretion of %-the neighborhood housing director to make this call and I would respect the authority of the neighborhood housing director to make the decision about the opportunities at the time and whether or not it's best to get the units at the site or to utilize it there.

>> Mayor Adler: An objection to the amendment? Yes, councilmember alter?

>> Alter: We'll have this location in the neighboring apartments since we have 2000 affordable -- market affordable houses nearby. I wondered if this money could be applied and how it would work to be applied by helping those people who need to relocate and -- I don't know if -- or legally how we would do that?

[8:11:05 PM]

>> Mayor Adler: Hang on a second. I can't hear you.

>> The neighborhood housing and community development department. The fee would be flexible. We could look and work with your department to identify an initiative or activity that could be best served for this particular issue. But I don't see that there would be any kind of restrictions on the funding source that would preclude an array of different activities.

>> Alter: So as written the funds are determined in the vicinity of Austin Oaks and would allow that use if it was determined to be the best and highest use.

>> Mayor Adler: Any objection to this? Hearing none -- yep, Ms. Kitchen?

>> Kitchen: I just have a question. So my question has to do with the -- the dollar amount. That's indicating for the -- this is a question for staff. Because this is occurring at a later date, is this the appropriate dollar amount to put in for right now?

>> Yes, it is.

>> Kitchen: So if you do a fee in lieu later in a project, you're not assigning the correct dollar amounts to it. You assign the dollar amounts that are applicable right now.

>> We are based on the current deal that is being put forward.

>> Mayor Adler: Yes, council?

>> Look at the changes we're putting in, the restrictive covenant. It requires it to be done with the first commercial housing units and it wouldn't be done late in the day. It will be done -- it's up front.

[8:13:05 PM]

They make that decision.

>> Kitchen: It's still not -- it's not -- it's still not today's dollar.

>> Correct, correct.

>> Kitchen: Thank you.

>> Mayor Adler: Mayor pro tem?

>> Tovo: This is a question for housing staff, whether they contemplated any language that would reflect the dollar value at the time the project moves forward or the residential piece of it.

>> Kitchen: So this is a little different because it's not based on square footage. Of a density notice.

>> Tovo: I guess I was asking a follow-up question to councilwoman kitchen's. She asked if it was in today's dollars? And I asked did you consider any allowance for the escalation of the Kos if this project -- if this piece of the project is done 5, 10 years for now.

>> No.

>> Tovo: Is there any language that could accomplish that?

>> I'm sure there probably is. We work with law on it.

>> We could come up with some kind of consumer price index or something. I'm sure there's language that we could draft.

>> Tovo: You want to address --

>> Mr. Whalen is saying there's no escalation in the analysis of our rents so we would want -- we would want to take a little time to -- to reflect on that. So I think that we could think about some language that might address that if that's the will of the council.

[8:15:06 PM]

>> Tovo: I'm sorry, I'm not understanding the premise.

>> So I'm going to defer to Mr. Whale up to come up and express his concerns.

>> Hi, Mr. Whalen. Law. I think -- this is cover in the information that you saw. The analysis they did did not include any escalation to market rents over the 40-year period. And so that was a concern of ours. They said rents will increase. There could be some escalator to the rents in the 40-year period. The analysis do not. I do not think it matters based on a flat rate over a 40-year period, it doesn't matter at what point this will be made. Because the rate the rent hasn't changed. So in my opinion if there's going to be an adjustment made based on when it happens, there needs to be a cpi escalator or something similar to adjust the rents on an annual basis based on a 40-year period.

>> Tovo: Thank you.

>> Casar: Ke we can keep thinking about it. But the intent of my amendment was -- I didn't bring it up with the applicant. Because the intent was to not change any of the financials of the deal. Was to say if it's the same to the applicant to subsidize the rent or give us the money up front, then we should have the same that gives us more options. I want want to support our amendment as long as it achieves. If it's clear to do that. Any other version would be for me to support to pass that test to essentially be no consequence to them because it's us getting the units or us getting the money that those units cost.

[8:17:06 PM]

>> Mayor Adler: Does anybody have an objection to this amendment without prejudice to someone changing the dollar amounts later on the dias? That makes sense to you? It's intended to say however much money has gotten goes into the housing trust fund and the housing folks with discretion be able to spend it with not to address how much

>> Casar: Or we can demand the units on site at our discretion?

>> Mayor Adler: Correct. So I'm asking if there were any objections to passing -- adding this amendment without prejudicing anybody's ability to change the amount owed if somebody wanted to move forward on that? I'm trying to divide those two issues. Okay? That being the case then this is added without prejudice. Does that make a further change if someone wants to make it?

>> Troxclair: Mayor, may I ask a quick question. In the vicinity, to be spent in the vicinity of Austin oaks pud, should we provide clarity as to what vicinity means?

>> Mayor Adler: I'm -- frankly, I'm comfortable giving that discretion to housing. I wouldn't know how else to describe it.

>> Vicinity can be defined in a reasonable geographic, you know, location to the pud. We have -- this will be something that will be a little different than what we've done and the other like for example transit or oriented districts. I would say potentially half a mile is typically what we have offered up and other density bonus programs.

[8:19:08 PM]

I would put that forward for consideration at this time. Unless there's a specific area that we need to go out a little bit further to take a look at.

>> Troxclair: That answers my question. I just didn't know if it had to do with half a mile or ten miles. Thanks.

>> I would say I would want to have some flexibility working with the actual district representative. That's typically what we've seen. We would be comfortable saying in the vicinity.

>> Mayor Adler: Thank you. I read -- I'll offer the amendment that I handed out. This one. I asked if there are any questions going back to Mr. Casar.

>> Troxclair: I'll support this amendment. But I thought you were asking for O.K.S to the -->> Mayor

Adler: I asked if there were O.K.S to Casar's amendment without prejudice on the dias coming back later and changing the dollar amounts. That's dividing the two concepts. There was not an objection.

>> Troxclair: I'm fine with that. I just thought we had voted on the question of whether or not we should change it but not on the amendment. But I'm fine.

>> Mayor Adler: Is that okay. You're looking confused on this side of the dias. I want to make sure -- you're okay? Okay. Then we're continuing on. Okay. The amendment is some kind of bright yellow piece -- ah!

[8:21:08 PM]

This is an amendment that removes one of the floors that was added to the residential structure going from four to five stories on the nine and finding the decrease of the floor of the garage adjacent to it and added and associated with this. Is there a second to this? Councilmember alter seconds it? Is there a discussion on this? Mr. Casar?

>> Casar: I'm not going to be able to vote for this amendment because it removes residential housing on the site. You lose potentially five affordable housing units. And there's still, as we heard, about a football field of difference of distance between homes in this location. So I think it's appropriate to have five stories.

>> Mayor Adler: Okay. Any further discussion on this? .

>> I want to clarify we have parking accounted for because we're going see some as we go through other amendments that we don't violate that. So it's 60 feet of the parking garage accommodates that so you can get that out of the way.

>> The request --

>> Mayor Adler: 63 feet. Six levels.

>> Casar: Given the conversation and the plan we just went through, I can't support reducing housing on this site or put this amendment -- I don't think it's consistent with what we just did on it and we're trying to bring housing down.

>> I will remind you as we discussed in work session that if councilmember Poole was here we have the votes to pass this so we'll have to have a postponement if it doesn't pass.

[8:23:24 PM]

>> Mayor Adler: If there's a deciding vote. If not objection, I will pull this down for now and reurge it. See how the other votes go? Is that okay to do? Any objection to pulling this down? Okay. I want to pull down that amendment.

>> Troxclair: Do we have a sixth vote for it? I guess what's the point of pulling it down when you bring it back up, we're going to possibly postpone.

>> Mayor Adler: I don't know that we would. Trying to see what else is associated with this.

>> Troxclair: Along with the other amendment that we have that we've discussed depends on this one passing or the

numbers -->> Mayor Adler: I'm sorry, what? Ms. Troxclair?

>> Troxclair: If it's helpful to know, I think this is a reasonable compromise and I'm willing to support it.

>> Mayor Adler: I was making this motion because I think in codenext there will be compromises we have to make. That's why I talked about having the density on the corridors and in the centers, not in the middle of neighborhoods and in transitions. This is the highest part of the property and closest to the neighborhood which is why I was urging us to take this down. Seems to me it fits with that broader consensus since we have moved forward on these projects. There's also my hope when I made this that it would be part of recognizing that this is a complicated case and we could be here for a long time making changes. It was my hope that given the votes on the dias that we would minimize lots of other changes that might otherwise be made. And I realize now that I probably shouldn't have offered it at this point. I should have offered it later when it was more apparent whether or not that was going to happen or not, thinking that people might be more willing to vote for this.

[8:25:25 PM]

As an effort to compromise on this to -- to get it that way. That's why I would ask now to again if there's any objection to me to pulling this down to seeing what the balance looks like. Without objection? Then it's pulled down. What's the next amendment to consider?

>> Troxclair: Okay. I'm not sure if we have the votes why we can't just vote on it, but okay. I move to amend part 10 of the ordinance and back up to require council approval before the director may approve the waivers under the smart housing program. So this modifies part 10, part F, affordable housing requirements, section 25-1-704. Fee waivers is modified to acquire council approval for applicant's eligibility for fee waivers before the director can waive all or a portion of the fees described in 25-1-704-a. If I have a second, I will speak to it.



>> I believe I have -- I don't know. Let's see what happens.

>> I'm sorry, the motion.

>> Mayor Adler: Seconded by Ms. Kitchen.

>> Troxclair: So what this amendment does is it makes so it that when an applicant develops to the residential, they go to build their housing, they can't come back and ask for fee waivers on their smart housing for what they already promised us in exchange for the superiority.

[8:27:33 PM]

We allowed them to come back to council because there are some scenarios where they might do deeper affordability or additional affordable units. We can allow that possibility. We cannot constrain future council's availability in this regard as I was advised. So, that means if they're going to count their affordable housing for superiority, they don't get to get fee waivers unless they do more than what they promised us.

>> This is the double dip session? Is there any objection to this amendment being included?

>> Casar: No objection, a question. I support this because I think that this was an understanding, the understanding from the beginning. So I think that's good. I just would want to clarify the intent from councilmember alter if it's possible that this is not meant to set precedent that in other cases where for the future -- that's a policy decision that might be interesting for us to discuss at a later date. But this is not -- this is not intended to send a message about how we will handle those cases in the future.

>> Alter: It's just you can't use smart housing in a pud case. They were offering the affordability as superiority and did not exercise the option in the pud to specify that. And so in a future pud, if somebody did the same thing, the council will have the same opportunity to require them to come back. And that doesn't mean someone is applying in the P ushg D who does smart housing would be somehow disadvantages from it.

>> Casar: I agree and support it. Thanks.

>> Mayor Adler: Any objection to this being added? Seeing none, it's added.

[8:29:40 PM]

>> So I'm going to note that this is for four and five and where it reads 50 feet to be consistent with earlier decisions should read 53 feet. So I move to meant part 5 of the ordinance and back up to limit any height or structure in parcels 4 and 5 to 53 feet and to move 10-8-a to require any amendments B through K will be considered a substantial amendment. Use on the ground floor parking garage 3 above the ground floor. It's limited to 53 feet. It's the same thing on building 6. My intention is for the restaurant to be on the ground floor and the parking above. And there was ambiguity in the land use plan that we are trying to resolve. And we would just want to be clear, we had previously added -- the last time something to deal with this notification issue and it's just repeating it here for clarity.

>> I think we're fine doing that. I think because the situation is changed and not as attractive as the free standing, because of the movement of the office, if we could have as we could preview a few more uses and we had identified four that would help to make sure that gets occupied initially. It would be for financial services. There could be a small banking-type situation, general retail sales, convenience, which was mentioned.

[8:31:48 PM]

Personal services. That gives us flexibility to fill that space.

>> Troxclair: I'm going to object to that. I think the neighbors very much want restaurants. This is one of the things that was kept from the sure and there's general agreement on that. We don't have those things to the restaurants because they're just adding more to the traffic problem.

>> The only thing we're concerned about that I expressed to you earlier is the market is such that we should remain empty. The restaurant does yield a better rent, they just won't support that and will remain empty as we've seen on Cesar Chavez in the CNC buildings.

>> Mayor Adler: Can you preview for us what amendments you intend to bring?

>> Alter: I have one that is with the traffic improvements. I can hand it out, actually, if you want. Trying not to bog everyone down. One with the traffic amendment, which basically is just making sure that we spent -- if for some reason there is a portion of money either for the traffic signal at heartlane or spicewood springs or for the identified items under D. And I think there may be one item that is missing from the original list because I think we have nine of them under D. That if those funds cannot be spent under -- on this traffic improvement either because we didn't spend that much money or we had something that was proved not to be the right choice from a traffic improvement perspective that we could use that traffic improvement money for additional litigation within the geographic scope of the tia.

[8:33:58 PM]

Assuming that the city staff determines that that is a better use for the proposed improvements.

>> Anybody have any objection to this amendment?

>> Alter: I do think there's a -- on there. If we can make that match under part D.

>> Mayor Adler: Say again?

>> Alter: So under part D, if memory serves me, we have nine items under exhibit N. It should have left all nine of those.

>> One in there twice.

>> Mayor Adler: Okay, without objection. This one will be included.

>> Alter: Okay, and -- so my next one, the number depends on your amendment, mayor, so this was a motion to make sure that we were getting affordable housing. So as I understood -- so I understood, the approach that was taken in March, we were moving forward with this pud because of the affordable housing and one of the attractions of doing the residential was the affordable housing that we would get. As it is currently written, until it -- they don't have to do any residential at all. And we might get no affordable housing in that case. There is a trigger in there that you have to do a park when you hit a \$250 minimum. What this does is it sthaez the total number of affordable residential units acquired in the Austin oaks pud will be 10.8% of the units that was in there. Or 41 units whichever is greater. The number 41 reflected in the assumption that the mayor's amendment of reducing the floor has passed.

[8:36:04 PM]

So 375 units of residential, gives you 338. So we have to figure out what the appropriate adjustment to that number is. So this does assume that the mayor's amendment for reducing the floor on personal 9 passes.

>> Mayor Adler: This --

>> Alter: We don't know the amount if we don't do this.

>> Mayor Adler: Okay.

>> Alter: They could get away with substantially less affordable housing than we think which is why I believe we're giving this planned unit development. It's providing greater clarity on that. And we will need to adjust that number and it's whichever is greater.

>> Mayor Adler: That's one we're going to have to talk about. Any other amendments that you intend to bring?

>> Alter: I may have another one on parking but I have to find where that is. I do have another --

>> I do, you want to talk about that one.

>> Troxclair: So earlier this week, we all got a letter from Sabar Springs encouraging us to pay attention to this issue. It's my understanding that the intent -- I'll be sure you get a copy here in a minute. But I'll -- my amendment is as follows -- per city code, the developer must comply with section 25-22-81-d of the land development code which is the section of the code that deals with critical environmental features. It's my understanding from staff that the planned unit development intends to comply with those.

[8:38:04 PM]

And so as I understand as I mentioned if I let you know about this yesterday -- is this okay? Is there an issue that you're complying with the code.

>> No problem with complying with the code.

>> Super.

>> The pud would only modify? It modifies the section of the code, not the ordinance.

>> Troxclair: While I understand that, I would appreciate it if we can adopt it as an amendment. Just for security. An environmentally sensitive area. The recharge zone and it would put that concern to rest.

>> Mayor Adler: Counsel?

>> My only concern is that with the state law regarding grandfathering, if we do agree to the city lags because it would adhere because everyone else says that the regulations in effect at the time of the application would apply unless they're modified. And so by doing this, they say 281-d, you have frozen 281-d as to this development if we in the future for example strengthen that provision, that strengthened provision would not apply. And I'm pretty sure that's not the intent.

>> Troxclair: Do you have a suggestion?

>> Let me think about it.

>> Mayor Adler: What she could do is it could say comply with section 25-a-281 with as maybe further amended for the development code as they be further amended.

>> We can do that, we have found in our deliberations at times the language is to do the language now - that's why and the pud and make sure that this doesn't provide anything beyond the particular modification.

[8:40:06 PM]

>> Troxclair: Certainly don't want to do that.

>> There's been suggestions about applicants in the past that don't have the sections that comply and you said no, we won't do that is that it gives them a benefit rather than tying them -- it ties them to something that we may strengthen in the future. So I would advise against it, because it will apply to them. Pursuant to the terms of the code.

>> Mayor pro tem? Environmental officer. I agree with the city attorney's advice on that. We generally really try to stay away from including references to existing code that they would have to comply with any way and -- and this is something that for a long time they've been real clear they know they have to comply with the cef requirements and the litigation requirements and in fact they're limiting the depth of excavation and so if we were to -- if -- as you were saying, if we were to strengthen the regulations in the future, they might not have to comply with them and my recommendation would be that we remain silent on it.

>> Tovo: Thank you, again, would you state for the record that they will need to comply with that which includes reporting any voids or caves that are discover in the process of construction.

>> Yes, as they do for any trenches, excavating the parking garage. They start work reporting to us. Our geologists and inspectors respond and evaluate those and comply with the litigation requirements. They're required to report them to the tcq. But then tcq defers to us because we can respond faster and have more stringent regulations than the state does so they have to comply with those.

[8:42:09 PM]

>> Tovo: All right, thank you.

>> Things are attributing to me when other people talk. It happens all day when we talk. On the -- on the subtitles. It says troxclaire. So if anybody is -- if you're willing to fix that.

>> You're writing a letter or anything.

>> Mayor Adler: Mayor pro tem, you want to -- with that, that's withdrawn. Okay. Are there any other amendments that people are going to make? One or more. Okay.

>> The part 8 in backup to reduce the height of the parking garage on three. So instead of being 85 feet, 75 feet or 7 1/2 levels.

>> Mayor Adler: Okay. So the amendments that we have left are taking the buildings -- the parking garage that serves buildings three and four, the parking garage two on parcel three and lowering it by 10 feet. I guess it would be ten feet plus three feet, right? So it would be 78 feet. Is that right, Ms. Alter.

[8:44:10 PM]

>> Alter: I'm not sure.

>> Mayor Adler: This is what we have left, council. One thing to lower the parking garage on two. To lower the garage, we have the possibility of taking one floor of housing -- going back from five to four which was where the sure was. We require restaurants in three uses and the last one is putting an absolute number in on the affordable housing. Those all of the amendments we have left?

>> It's actually an absolute, it's a minimum number on the affordable housing.

>> Mayor Adler: Minimum number of affordable housing.

>> Yes.

>> Mayor Adler: Those are all of the amendments that we have left? Okay. I want to call the applicant up.

>> So, Mr. Mayor, that's four items, right?

>> Mayor Adler: Four items. Sir, I would like for you to address each of the four things if you could. One of them is lowering the parking garage here on -- on parking garage two on parcel three. I think it's an additional half floor on top.

>> We can agree to that. Yes.

[8:46:10 PM]

>> No, number one. Eight stories.

>> Eight levels, which would be, I think, 83 feet with the three feet.

>> So we go from 8 1/2 stories to eight stories. Which would be 83 feet.

>> Correct.

>> Okay. What about the restaurant and the three uses?

>> If we have the additional uses, we can agree to that. The -- three or four that Michael outlined.

>> Again those four uses are general retail sales and convenience, personal services, which is nails, hair, and pet services.

>> So --

>> I have a question.

>> Mayor Adler: So in the original plan, you were doing restaurants. Long term the goal here is to have a restaurant in the neighborhood. Your concern is that in an intervening period of time, you're not going to have the roof tops to be able to support that.

>> Yeah, the concern is we looked at it aggregately and said we have X amount of square foot of quote retail and restaurant. And the restaurant within some of that. We start identifying a very specific piece and saying that has to be a restaurant. That's a bit more concerning because I don't know if a restaurant tour is going to show up and want to lease that space, maybe the space down the way. I would say the concept has changed when we inserted the retail spaces or restaurants, whatever you want to call it, into the garage versus it being in the stand-alone path site.

[8:48:17 PM]

>> It's in a period of time to -- to allow those three uses for a certain number of years and then convert to just restaurant?

>> Mr. Mayor I have a suggestion.

>> Mayor Adler: Yes. Yes.

>> I'm wondering if it would be appropriate to consider the language that has a preference for a restaurant? Restaurants were really -- I have to say in this market, restaurants are dying all the time. And we can see that there are empty spaces all over the city. So I'm not certain to get at what neighbors are interested in, if there's some way to write the language that, you know, if it's a restaurant if it at all possible or something to that effect so that these other uses would be secondary, if you can't get a restaurant. And so that seems to be what you're saying, it also seems to be perhaps what's being

reflected in the restaurant. But we do need to be realistic in this city. Restaurants are tough. It's tough to keep going. The restaurants come and go and come and go. So a vacant space, I'm sure, is not what the neighbors would prefer. I mean, they'd rather have a restaurant, but they might rather have something else rather than nothing. So if there was some way to make it clear that the preference is restaurant and if you have some responsibility for trying to get a restaurant in there, I don't know how to word that exactly, then perhaps that would address the issue.

>> Mayor Adler: Okay. I would like to ask a question about another piece of this if I could. The minimum number of affordable units. Explain to me again why the trigger doesn't help with that? So the trigger says that -- that you can't build more than 500 square foot of office until you have built out the residential --

[8:50:23 PM]

>> We can build up to -- my understanding is we can build up to 500,000 square feet of office at which time we have to deliver at least 250 -- oh, we have to deliver on parcels 8 and 9 -- develop parcels 8 and 9 which are the -- what are we calling that? Ao-mixed use, before we can develop another square foot of office space?

>> Mayor Adler: Is there a certain size you have to do on 8 or 9 when you develop it?

>> There's a minimum requirement in the phasing plan. 250. Multifamily.

>> Mayor Adler: Okay. What would be the affordable associated with the minimum of 250 --

>> 10.8, like 27. 27.

>> Mayor Adler: Total square footage on 8 and 9 is more than the 250. It's 400 and something.

>> It -- it goes back to the thing about garages, right? These haven't been designed. These haven't been planned. We've kind of -- this is all based on planning exercise and not in depth architectural design. So I don't know definitively how many units are going to be on site there. I'm comfortable with the range that's on the table. And I think it provides some protection that, in fact, the affordable units will be on the ground. But I'm concerned about the notion of putting in the what we term as the best case maximum number and making that now a minimum number when in fact it hasn't been designed, it hasn't been -- it hasn't been drawn by an architect.

[8:52:32 PM]



>> Mayor Adler: If I were to put all of these four pieces together, if I were to put them together, I would -- I would lower the parking garage on the -- on parcel 3. On parcel 3. I would lower the takeoff on the half floor. That associates with that. Takes it down to the 80 plus three or the 83. I would take away the additional floor which is the most significant concern, five floors to four floors, and then taking down a garage that's associated, the additional garage height that was associated with that. I would limit it to the restaurant to the three uses and then I would be satisfied with what was the minimum associated with the 250 square feet on residential because of the -- the -- the trigger.

>> For what it's worth, mayor.

>> Mayor Adler: I don't know if you would agree to do all four of those and Mr. Casar, I don't know, if you would agree to do all four of those as a way to -- to end here.

>> Mayor, I obviously most important to the neighbors is reducing the floor. In terms of the -- in the residential and the garage. That goes with it. I'm not sure what you're suggesting or putting for the minimum. If 250 is the number and that was 27 or 10.8. I would refer that to be higher that I would prefer that to be 41.

[8:54:34 PM]

The issue here is that I think the whole deal was predicated on the notion of delivering the residential. Yes, we did discuss the strategic housing plan today. And it was all predicated on delivering the residential, whether it was the affordable or the income or the market rate or the market rate or income restricted. We have protection for this being built. This is one way to encourage that. I would like to see something somewhere in between the 25 and the 41 number. On the parking level, you know I'm okay with what you proposed but I do want to point out that that's just having them lob off three feet. That's really not -- it's -- I think it's an improvement to make a --

>> It's six or seven feet.

>> If you take off a half a level and give them three feet, you've only taken off three feet. It needs to be done, but not as big of a give as it sounds. I think I would like to see the other. On the restaurants, I preferred your suggestion of having an interim time period if that was feasible. I think not having restaurants in this area will be problematic. But I understand the applicant's need to have the traffic there which would come with the residential. And I don't know if there's a halfway point there.

>> Mayor Adler: I'm trying to get to the floors now. Ms. Garza? I'm trying to get the floor and my sense is there might be the majority of votes to do the four things the way I just described them and I'm not sure there's the votes to do it. Otherwise, I don't know. I'm saying -- you know, it's losing half a floor. I'm losing three feet. It's losing half a floor Tonga Raj, going from five to four and --

>> But if I go from 85 to 83,  
that's not -->> Mayor Adler: --

[8:56:38 PM]

>> Mayor Adler: Not 85, but 85 plus three as we're doing on all of the garages. It's a half a floor whatever height a half a floor is.

>> Okay. To me, a half a floor is six feet. If you give them an additional three feet earlier, you're only getting three feet.

>> Mayor Adler: Okay. Ms. Garza?

>> Garza: I just wanted to comment on the restaurant part. I don't know how that would work in the interim because if you have a great tenant there and they're doing great and they're retail, would you kick them out after four years because the pud now requires a restaurant there. It just doesn't seem good for business. So I liked councilmember kitchens' suggestion that I prefer they seek out a restaurant. But I have a similar strip area in my district where the restaurant has come -- different restaurants have come and gone three times and another one there. I hope it makes it but a lot of that strip mall is vacant. But I prefer to see commercial office, whatever, being used as opposed to being vacant.

>> We can -- I have an idea to address that, I think. We could -- we can -- I hope it depends on what Mrs. Cotton said, but we can certainly volunteer to make that space available to restaurant use first at the -- the rent that we were offering to and we leave it at the same represent, we're not going to have a hype rent and lower the rent. The right of first refusal. Make that available to restaurant use first for 60 days before we make it available generally for a commercial -- for the other four uses that I had mentioned.

-- Mentioned. We can do that each time it turns over to your point to councilmember Garza, when it turns over, make it available for restaurant use first.

[8:58:39 PM]

>> I would like to -- I would suggest that language to that effect would be useful.

>> I believe that would be impossible for the city ordinance. The city is -- our role is to do permanent buildings. So once a building is built, we don't keep track on a monthly basis of who the tenant is. But we

could encapsulate that in a letter and stick it in the file and say this is the council's intent that this be done. But I don't think that is enforceable language for an ordinance.

>> Councilmember Garza raises a good point with respect to shifting with the tenant. So I will go with your statement on --

>> The four things.

>> On the parcel. Yes. I do want to point out that we are only getting 25 or -- I don't know, did we decide on 27 or 25? What's the number? It's 27?

>> Hopefully it will

>> Mayor Adler: Hopefully it will be 41. All they have to do to pass the trigger would be 25 -- 250 times -- something like that. Okay. So the motion would be the last amendment, would be -- have four components to it. The first one would be that the parking garage -- parking garage 2 on parcel 3 would be lowered by half a floor.

>> I'm sorry to interrupt you, I just want to clarify, one of the other parts with respect to the restaurant was that we wanted to limit the height to the parcel, not just to the structure, so that you wouldn't have any ambiguity about adding the 30 to the 50.

[9:00:39 PM]

So that the height was -- that the height of the building or structure on parcel 4 was limited to the 53 feet.

>> Mayor Adler: Okay. Is that right? The part --

>> This was implied --

>> Mayor Adler: No, no I think it is. I think it is. I think it is. I think it is, 53 feet, is that correct?

>> Michael Whelan. Yes. It was always our intent, not to be 85.

>> Mayor Adler: I understand. So five components then. The first component is that parking garage 2 on parcel 3 gets lowered by half a story. It would have the same three feet addition that all the parking garages have. The second component would be the building on 9, I think, goes from five stories to four stories, residential, and the corresponding parking garage floor that was added will also be taken off. The third component is that the restaurant site would be restaurant and those three uses. And that building would also be limited to 53 feet. And then with respect to affordability, it would -- we're not going to add anything new to that because that's covered by the phasing agreement.

>> I just want to clarify that there are two parcels for the restaurant to be covered.

>> Mayor Adler: Two parcels, yes.

>> Because there's two buildings.

>> Mayor Adler: Two buildings, both limited to 53 feet. Mr. Casar, if that comes to a vote, will you vote yes on that?

>> Casar: I'll vote yes on it to wrap this thing up tonight.

>> Mayor Adler: Okay. Are you okay with those pieces?

>> Yes.

[9:02:40 PM]

>> Mayor Adler: Okay. I make that --

>> One other -- prohibit drive-through on the bank. The staff would like to prohibit drive-through --

>> Mayor Adler: We agree, to prohibit drive-through on the bank. Will someone make that motion?

>> Alter: I will make that motion.

>> Mayor Adler: Is there a second to that motion? Mr. Casar seconds that motion. Any discussion in all those in favor please raise your hand. Those opposed? It's unanimous on the dais. We're voting on the last package of the four amendments.

>> Slow down. Please explain it again, because now I felt like it was an amendment to the amendment, so please explain.

>> Mayor Adler: This is now the last -- we have the main motion and now there's an amendment that has multiple moving parts. And the multiple moving parts are the ones we went through. You want me to go through the parts again? Okay. Now we're voting on this amendment with the multiple parts. Those in favor, please raise your hand. Those opposed. Mr. Flannigan votes no, the other votes aye, pool off the dais. We now have the main motion in front of us. Those in favor of the main motion as amended, please raise your hand. Those opposed? Alter votes no, mayor pro tem votes no, pool off the dais. This passes.

>> Before we adjourn, I'd just like to say something if I might.

>> Mayor Adler: You can.

>> Alter: So this has been a long process for district 10 and the community around Austin oaks. The work on the pud began long before I stood on the dais. There have been a lot of hours that have been spent on this. Many people in the neighborhood advocating for what they think is best for the community. I'm proud to represent you, and I thank you for the example you set for being engaged isn't the in the community.

[9:04:48 PM]

I hope that it's evident to everyone that the pud process we have is broken and needs to be changed. There's a lot of hard work that's been done by the community members, a lot of time and effort, and these resources, both of the community, of the city staff, on behalf of the developer, are not without cost. Good land development decisions need not take all of this time. When they do, our ability as a city to address the needs of our city is more limited. I hope that my colleagues will join me in supporting a thorough examination of the pud process as we move forward with codenext. We need a better way for us, for the community and for our future, to be addressing these kinds of changes. To the community, I'm sorry that this process has been such -- had such an impact on the community to kind of sunder neighborly feelings, and I pledge to work with you to try to rebuild the community. But it's important that we address these pud processes. This is not the only pud situation where we've seen it render our community. The other thing that I wanted to just share with my colleagues is that the surrounding neighbors surrounding neighborhoods have a lot of affordable housing. There are people who depend on that housing, and it would be impacted by the choices that were made this evening. So I will ask that my colleagues, as we move forward and try to deal with preservation of the affordable housing in the Austin oaks area, that you will work with me. We can't take credit for what some will call a good development without accepting the responsibility on the other side, and I hope that we're prepared to work together to deal with the consequences of this pud on the affordable housing in the surrounding neighborhood. And finally, I just want to thank my colleagues for taking the time to listen to the community.

[9:06:53 PM]

It's a very important role, I appreciate you doing that, and I will obviously return that when the issues come up in your districts. Thank you.

[Applause]

>> Mayor Adler: Ms. Garza.

>> Garza: This is totally separate and unrelated to this, but just as a technicality, because I know that our votes are tracked, is it better to reflect that councilmember pool was absent? Because off the dais implies that she was here but in her office, and I don't want it to look like she was here all day day -- but not on the dais.

>> Mayor Adler: That would be good to do.

>> I think that has been true all day.

>> Mayor Adler: It has been true all day. I am proud -- I'm proud of what we did today. We went through some very difficult issues today, and I think that we were able to find the best way forward. When govern, not always, in fact, less than most of the time, do we get everything we want. Today I think we found the path and I'm proud to be part of this council today. If that's everything we have --

>> Kitchen: Mr. Mayor, I'd like to say something.

>> Mayor Adler: Ms. Kitchen.

>> Kitchen: I would just like to say that I agree, that I think that the pud process has become a torturous process, and I think that it's -- it's -- I think it needs to be revisited. And so I will work with councilmember alter and others who want to work on that if we go through the -- it was -- the original puds were intended -- the original pud ordinance was intended to be a way to provide for additional community benefits, and, you know, it's just not -- it's just not fulfilling what the original idea was. So I think that we need to work on that, and I will look forward to working on that with councilmember alter.

[9:08:55 PM]

>> Mayor Adler: Mr. Casar.

>> Casar: And I'll commit to continuing to do this work alongside y'all. Not just through the codenext process, but in the zoning changes that, unfortunately, are still likely to come, no matter how well we do codenext. And I -- I do agree and believe that there are enormous pressures on our market rate affordable housing, and -- and that there's market rate affordable housing, unfortunately, like on 52nd street, that is rapidly disappearing from our city in many ways. We may disagree about what -- exactly how to handle those forces, but I think that we're all going to have to continue working together the best that we can, even through disagreements, to do what it is that we sit up here to do, which is try and take care of our city and its people. I know this one has been a long haul, but I want to express that note of solidarity.

>> Mayor Adler: Mr. Renteria.

>> Renteria: I also would like to revisit the if you pud. But when we do it up here, we do it because we're trying to get affordable housing in areas that don't have as many. I come from district 3 where I and Ora have the most low income projects than the rest of the city. So that's what I really look at. But definitely, I agree with my colleague Ms. Kitchen, that it is torturous.

>> Mayor Adler: Okay. Is that it? It is 9:10. We've completed all our business. This meeting stands adjourned.

[10:25:58 PM]