

## City Council Regular Meeting Transcript – 08/17/2017

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[10:14:00 AM]

>> Mayor Adler: All right. I think we're about ready. I think we have the folks here. Council members, we do not have with us today the invocation speaker, I don't think. Do we have invocations pastor Lee lever here? Oh, you're here. Would everybody please rise? Thank you, sir.

>> Thank you. Good morning, everyone, I am pastor Lee lever of the Austin men non -ite church. I was invited a couple of years ago to this role of giving an invocation and I refused it because men non -ites don't usually perform in this kind of realm. We like separation of church and state. There are good reasons for that in our history. City council about 500 years ago arrested and early mennonite leader, and he escaped in the winter and escaped across the river that had thin ice and one of his pursuers, a guard who was pursuing him, fell through the ice and this man, dirk Williams, turned around to rescue the person who was chasing him, was arrested and went back to jail and was executed. So I'm nervous about being in front of you all.

[Laughter].

[10:16:01 AM]

But I thought in light of recent tensions in our country that it might be good to engage, so I was looking through your agenda I can understand a little bit why you need prayer at the beginning of this session. Lots of agenda. It speaks to the hard work of this council and I'm sure many staff in this city, and it's appreciated. Appreciate what you do for the well-being and the common good of our people. And I wish you god's blessings, god's peace as you work at helping us work together, have conversations with each other and work for the common good. Blessings to you this day. Amen.

>> Mayor Adler: Thank you. All right, council. It is Thursday, August 17th, 2017. It is 10:15. We are in the city council chambers here at 301 west second street,. Let's take a look at our agenda. We have some

changes and corrections. It should be noted that item number 14 is going to be postponed until the 31st.

>> Troxclair: Mayor, would we still have an opportunity to talk about that item? I was hoping to give additional direction to staff if possible.

>> Mayor Adler: Okay. Let's pull that item and then we'll postpone it.

>> Renteria: Mayor, I had a request from the govalle neighborhood to postpone the Cesar Chavez development.

[10:18:08 AM]

I think it's -- 65?

>> Mayor Adler: 65 and 66?

>> Renteria: Yes. They asked for a postponement because they don't feel like they have been -- have the -- they are still in negotiation with the developer and I hope that we could postpone that either to the September 28th meeting because I know we don't have meetings then.

>> Mayor Adler: It's good you point that O we can't call that item up to postpone it until 2:00 because it's part of the 2:00 agenda. So we'll call it then and have staff speak to that. But if staff could make note of that and be prepared to speak to us about the postponement.

>> Renteria: Thank you.

>> Mayor Adler: Also on the changes and correction, item number 16 relates to item number 17 and 18. Item number 44 is withdrawn. Item number 54 has councilmember alter as an additional sponsor. Item number 56, councilmember Flannigan as an additional sponsor. It should be noted that item number 73 on August 14th, 2017, this was unanimously recommended but the electric utility commission on a vote of 8-0 with commissioners stout and Zell absent and one vacancy. Item number 76 has two added sponsors, myself and it councilmember alter. Let's take a look at what's been pulled. Items number 5 pulled by the mayor pro tem. 9 pulled by the mayor pro tem. Item number 14 pulled by councilmember troxclair.

[10:20:12 AM]

Item number 15 has some speakers to speak on that. In order to pull an item for speakers you have to sign up prior to 9:45, but we have a lot of speakers that have signed up for this so I'm going to pull this item so that we don't engage in that right now. So 15 has been pulled. Item number 16, 17, 18 pulled by troxclair. Item number 48 pulled by Flannigan. 51, 52, 53 pulled by tovo. Item number 54 is pulled by Casar and we will due that right after we do the gen plant which will be immediately the right after lunch. Item number 56 is also being pulled by councilmember tovo. So I have items 5, 9, 15, 16, 17, 18, 48, 51, 52, 53, 54 and 56. Flan flan I'd loose like to pull 55. Owe.

>> Flannigan: I'd like to pull 55.

>> Mayor Adler: And 55. And item number 42 has been pulled by speakers. Let's call up people to speak on the consent agenda.

>> Houston: Excuse me, mayor, I have a couple I'd like to pull. Item number 4, 24, 28 and 48.

>> Mayor Adler: 24 and 48 -- no, did you say 48 was that your last one?

[10:22:17 AM]

That was also pulled by Mr. Flannigan. Any other people?

>> Alter: I just had a request for item number 56 and it would be possibly to do that quickly right after consent, we have people from habitat from humanity that are here and I think it would be very quick if that would be possible.

>> Mayor Adler: We could do that.

>> Alter: If we think that those are --

>> Mayor Adler: We can do that. Item -- anything else to be pulled?

>> Tovo: Mayor, I would also mention on the cooperative resolution, on several of these I've pulled them because I had small amendments to make and that's one that I think is -- will also be relatively quick.

>> Mayor Adler: What number was that?

>> Tovo: 51. I'm not sure if it has speakers, but my part of it is very brief.

>> Mayor Adler: Got it. Thank you. Is Mita makamba here? Is David king here? Mr. King.

>> Thank you, mayor and mayor pro tem and councilmembers. I want to speak on item 16 regarding the 122 million plus dollars for the development services. Building purchase there. And I just wanted to get clarification. I understand that those bonds or obligations will be paid by revenue generated from that department, but I wonder if that's the case if the economy slows down and their revenues don't come forth to cover those expenses, those obligations, will the taxpayers be required to fund those? So I just would like a clarification on that. Now I'm speaking on item 19, proposed events on republic square park. I'm for this item, but what I wonder about is do we have a policy that requires the events and maybe some monuments there that tell us about the history of downtown Austin.

[10:24:27 AM]

And some may not know that in the past downtown Austin was the place where people of color lived. And they lived here because it flooded. And white people didn't want to live in downtown Austin. They lived in the hills to be shielded from flooding. And as soon as they built the dams there, guess what? The

people of color were pushed out. So I think it's important that we know about that history and we don't have to go down to the Austin history library and dig through the files there to find that out. That we tell the people, put a monument up there, have an event that tells about the history of our downtown. And so the folks that live downtown now, the affluent people who live here, understand the history and what's happened here before. Thank you.

>> Mayor Adler: Thank you. Councilmembers, I think I also need to put into the record that there's revisions to the nominations and waivers, which is item number 49, it's been submitted as late backup. The additional nominees are for the 2018 charter review commission, at a time ward. The African-American advisory commission, Sheila Craig by councilmember Garza. Ann denkler by the zoning and platting commission. Comprehensive plan joint committee, Anna acguire. Comprehensive plan joint committee, Bruce Evans, also nominated by the zoning and platting commission. What about Gus Pena? Mr. Pena?

>> Right here, mayor.

>> Mayor Adler: Okay. Is ray Diaz here.

>> He was not able to make it. He's at the capitol right now. Prompt me on the items, please, mayor?

>> Mayor Adler: 20, 21 and 23 were the ones I saw you signed up for.

>> Morning, mayor and councilmembers. Gus Pena, native east austinite. All of these items regarding housing, mayor and councilmembers, I want to let you know that yesterday -- let me go ahead and slant it a little bit.

[10:26:34 AM]

I met with Tim Irvine of tdhca. I'm sure some of you are aware of it. We spoke frequently at the capitol in trying to get more funding for housing near the city of Austin. We're in heavy competition now, mayor, with other cities, San Antonio especially. They're having the same problem even with the west side area. It's problematic right now. One of the things that I want to say is this. He and I discussed the tax rate for a different housing initiative foundation, front steps. I don't know of anybody that would be against it. This helps out a lot of people who are homeless. Permanent supportive housing. Especially number 23, mayor and councilmembers. If you listen to anything I have to say, remember that single women and children are the most vulnerable here in Austin besides our veterans. Am I correct, Mr. Mayor?

>> Mayor Adler: Yes.

>> Single women with children who are homeless. And number 23 item is very key and crucial and I appreciate the salvation Army for doing it. One of the things I'd like to say, I don't know if you know him or not, mayor and councilmembers, Richard Halpin, he used to be founder of institute for learning. I mentioned it before. He had transitional housing. You could rent a good house -- he bought houses from hud for one dollar back in the early 1990s. Bruce Todd was the mayor. I know it's not possible now. But I

would recommend getting a -- the community together. This would be a person, Richard Halpin, who is a true expert on housing, true expert on housing, much more than anybody else that I know of. And I know a lot of people in the state of Texas who have been talking about housing, but housing, affordable housing, true blue affordable housing, we need to find a clear-cut definition of affordability. It's crucial. We have people -- mayor, if you want to I can take you down where the veterans are at. I don't care. I have time. That's all I have right now. But the issue is this, we have a lot of good people that go to the bus stops, eighth and Guadalupe, eighth at Lavaca, they're sleeping out there.

[10:28:43 AM]

They need help out there. And we're hoping that we expedite the process. I know it's mind boggling for even me, but I support all these initiatives for housing and funding for housing. And we need it here in Austin. It is devastating right now. They're making fun of us down there in the north part of the United States. Ha, ha, ha. They talk about the music capitol of the world. What the hell about the people that are homeless? Excuse my language. What about them? Do we talk the talk and walk the walk? Or no. We have to have a true direction. Thank you.

[Buzzer sounds]

>> Mayor Adler: Those were the speakers that we have. Again, the items that I have pulled, the consent agenda runs through item number 58. We have 4, 5, 9, 14, 15, 16, 17, 18, 24, 28, 42, 48, 51, 52, 53, 54, 55, 56. Is there a motion to approve the consent agenda? Mr. Flannigan makes that motion? Is there a second? Ms. Houston. Any discussion? Mr. Casar?

>> Casar: The numbers you just read --

>> Mayor Adler: Hang on one second. 76 can also be on consent. 76 is also on the consent agenda. Any further -- Mr. Casar, go ahead.

>> Casar: When I packed up I was just checking that long list of numbers you read is the pulled items?

>> Mayor Adler: Those were the pulled items.

>> Casar: So a lot of pulled items. So both [indiscernible] Are pulled then? Because because I have friendly amendments but I guess I can make those.

[10:30:43 AM]

>> Mayor Adler: They've been pulled. We'll handle them quickly. So the consent agenda goes through number 58 plus item number 76. And I've called those and it's been moved and seconded to approve the consent agenda. Further discussion? Councilmember Troxclair?

>> Troxclair: Was number 55 pulled?

>> Mayor Adler: It was pulled.

>> Troxclair: I would like to be shown voting no on items number 9, 10, 11, 12, 46 and 47. And abstaining from item 42. A quick note on item 47, this is encore electric rate increase and we asked a Q and a about how their rates compared to ae. And even with the increase the bills are still 20 to 25% lower than Austin energy bills and I find it difficult to support the city opposing a company for increasing their rates when ours are significantly higher than them. Thanks.

>> Mayor Adler: Okay. We'll go ahead and take a vote. Those in favor of the consent agenda, please raise your hand? Those opposed? It is everyone on the dais, unanimous. Let's now get into these items. This is now the pulled agenda. We have a lot of pulled agenda items. We have some speakers that are signed up on these. I'm trying to think the best way for us to do this. We have about an hour and a half to work. All right. So let's do the ones that we think might be -- might quickly handle so we can have people leave. Did someone pull something that they think might be handled quickly?

>> Houston: Number four.

>> Mayor Adler: Number four? Okay.

[10:32:43 AM]

Is staff here on number four?

>>> Good morning, Rolando Fernandez, capital contracting office.

>> Houston: Thank you so much for being here this morning. I have a couple of quick questions. How long will the temporary units be used?

>> I'm sorry, councilmember Houston?

>> Houston: How long -- what's the length of time that these temporary units will be used?

>> I'm going to rely on Austin water to assist me with that response, please.

>> Houston: And then what is the life expectancy of those units?

>> How long do we expect to use those and the life expectancy of the units?

>> Chris Chang, Austin water. For the temporary units, as you know the air condition normally is about 10 years. But for this one we have to maintain the life in continuous operation. So the construction period during that time the contractor need to put in a temporary unit to sustain the operation. So the life will be longer, but actual use for the temporary unit will be much shorter. It's only to cover the construction phase.

>> Houston: Okay. And then I know this is not a part of the contract, but I just need to say for the people who live in that area, when are we going to do something about the noxious odors?

>> In fact, we have an ongoing study right now. There are two projects that relate to odor control. So those are already being approved by the country and we are in the study phase.

>> Houston: So if you would get back to my staff so we know where we are so we can let the community know what's going on. Appreciate it.

>> We'll get back to you.

>> Houston: Thank you.

>> Mayor Adler: Councilmember troxclair?

>> Troxclair: Is there only one company that provides heating ventilation and air conditioning services of this kind?

>> I'm sorry? For this one we only have the one successful bidder that we sort of will work with this contractor to make it work.

[10:34:52 AM]

>> Troxclair: So are they the only kind of company that provides those services?

>> No, there are multiple companies available, but for this one at the pb meeting there are two qualified that attend the meeting, but at the end only one submitted.

>> I can add something to that. If you look at the backup, council, you will see on the mbewbe page under the subcontractors that we have several subcontractors that would be providing assistance with the hvac. So they're providing the assistance at the subcontractor level. Unfortunately for this bid for the prime level we only had one bidder as Chris mentioned. But multiple folks will be providing that service as subs for the prime.

>> Troxclair: I just have a concern when we have multi-million-dollar contracts and only have one bid and we have no way to know whether or not that's the most competitive bid or whether we're getting a good bang for our buck so I'm going to abstain from this item.

>> Mayor Adler: Okay. Anybody else have anything else? Is there a motion to approve item number 4? Ms. Houston makes a motion. Is there a second to that? Councilmember alter seconds that. Any discussion? All those in favor? Those opposed? Those abstaining? One abstention, troxclair. The others voting aye. It passes. Thank you very much. Did you say that you thought 51 would be very quick, mayor pro tem?

>> Mayor Adler: Yes. This is the co-op item, I believe. If we have speakers -- oh, we do have speakers, mayor. We have three speakers on this item.

>> Mayor Adler: Okay. Then let's hold that one because there are speakers on that. Let's go to item number 56.

[10:36:57 AM]

All right. Item number 56, we have some speakers to speak on this. This is councilmember Renteria's item. I think there's been a motion that's been laid out, Mr. Renteria?

>> Renteria: Thank you, mayor. Yes, you know, I really don't have any problems with the -- there's some amendments that have been submitted to 56, and I really don't have any problem with any of these. They all seem to be pretty friendly. I do request that on one of these amendments that -- that on the one that -- the amendment that mayor pro tem tovo submitted was that where it says let it be resolved, that development should be family friendly in terms of design and unit mix. And I would like to submit it goal the majority of the unit should be multiple bedrooms.

>> Tovo: I'm sorry, I didn't catch -- I couldn't catch the word or where.

>> Renteria: At the end of the be it further resolved where it says the design and mixed use -- unit mix. And the co-on the part stating the majority of the units should be multiple bedrooms.

>> Mayor Adler: You're saying that should be a goal or aspirational as opposed to being required I think is what he's saying.

>> Renteria: I'm afraid that if we don't add that, then that -- that they might not meet that -- their plan on building 75% affordable units.

[10:39:12 AM]

And that's 75% of those units, if we put the goal on there is what I would be more comfortable with, making sure that this development gets done.

>> Mayor Adler: Okay. So councilmember Renteria moves approval of item number 56. Is there a second to that? Councilmember Garza seconds that. There have been two amendments that have been set up here. One is from councilmember alter and one is from councilmember Flannigan. Is there any objection to those two amendments? Otherwise we'll add those as friendly amendments. So those two amendments are incorporated on. That gets us to the next amendment. Mayor pro tem?

>> Tovo: Sorry, I wasn't sure if one of my amendments got incorporated as friendly or no.

>> Mayor Adler: I have three amendments in my hand. One is from councilmember alter that put in -- added the word, an additional to the sections 3 B and 3 C. That got incorporated. I have an amendment that dealt with the -- evaluated the density bonus program and there was an amendment and it was also friendly. Then I have the third amendment, which is the amendment that councilmember Renteria addressed where he wanted the substantial majority of the units to include multiple bedrooms to be the goal or aspiration as opposed to a requirement. Do we want to hear the speakers speak? We have five that have been signed up. Or do you want to speak to the amendment first?

>> Troxclair: I just wanted to ask about the additional minimum. Can you explain what that does, councilmember alter?



>> Alter: As the amendments were explained to me, the intention of habitat for humanity was to have 75% of the units as restricted and the language would have allowed someone to build on that same site, as I understood it, with only 40% of the units being affordable because you can satisfy the requirements by having 10% at 40%, 15% at 60% and an additional 15% at 80% so you don't actually add up to 75% affordable without the changes.

[10:41:46 AM]

So I was trying to make that fit the intent of what we were doing with the amendments and that was where it was included where the numbers were provided in the resolution.

>> Mayor Adler: Okay. Mayor pro tem?

>> Tovo: Mayor, I'd be happy to make my amendment now with the change that councilmember Renteria suggested or I can do it after the speakers.

>> Mayor Adler: Why don't you go ahead and make it now?

>> Tovo: So I will move approval of the amendment that appears in front of you and I will add in the language that councilmember Renteria suggested, which is after "And the," it will read and the goal shall be that the substantial majority of the units. Does that accomplish, councilmember Renteria? But if I could speak for a second about this.

>> Mayor Adler: It's been moved by mayor pro tem and Mr. Renteria seconds that. Go ahead.

>> Tovo: As the whereas states, this property does fall within the attendance zone of Sanchez elementary, which is on target as one of the schools that the school district has identified for potential closure because of underenrollment. And longer than I've been on this council there's been an ongoing discussion about how the city of Austin can partner with aid to keep our network of neighborhood schools open. There are all kinds of benefits of neighborhood schools both academic and social and environmental, and it is -- there are all kinds of good reasons to keep especially elementary schools within walking distance of the children who live in that area. And so that is something I'm firmly committed to. It's one of the reasons I ran for council. And again, longer than I've been on council there have been discussions about how the city can partner, but very often when these decisions have come to the council it's been late in the process and when we're faced with projects that are just creating efficiencies and one bedrooms, we get push back from the developers because they're so far along. So I really want to encourage habitat for humanity to look carefully at this.

[10:43:47 AM]

It's my understanding based on the one minute conversation we had before this session here today that there are different options, some of which would allow for more multiple bedroom units, some of which would allow for fewer. It would be my really strong, strong urging that you move forward toward the more family friendly option, but obviously that's something that my colleagues might feel differently about. But again, it's -- I've heard former mayors, former councilmembers stand up and say gosh, if we

had known this neighborhood school was in trouble we could have done some different things with our planning. We could have made some different zoning decisions. Today here this is our opportunity to do something that would be a good partner, that could help shape the kind of development that's happening on that site that could help sustain a neighborhood elementary that has a long history in that community and about which I believe the residents in that area feel strongly. So that is the intent of my amendment. I'm happy to change it to goal, but I would say we set a lot of goals and then we fall short. I hope this is one that we really able to achieve through the work of habitat for humanity.

>> Mayor Adler: Is there any objection to including this amendment with the understanding both from councilmember Renteria and the mayor pro tem? Yes.

>> Garza: I just want to --

>> Troxclair: I just want to understand what the argument would be against this. Could this possibly result in a lower number of units, therefore feature peel being able to move? It sounds great what you said, I just want to understand what the impact is on the development overall.

>> Renteria: This is one of those opportunities that -- I don't really believe there's any opposition. This is one of the opportunities that come in once in a lifetime where we have a development that is going to offer the opportunity for home ownership, especially in a condo development right downtown.

[10:45:54 AM]

This is -- you know, we'll probably never see another opportunity like this where 75% of the units, unless it's something like the courts, like the calmers in rosewood and Santa Rita, where they have the level level of affordability in housing that is being offered by habitat. And I always call it that this is something that is a godsend that we have an organization like this that is willing and has the ability to have different types of development organizations that they're willing to donate their time and energy and people that are willing to work for this? You know, I -- when I heard that I embraced it because I did get a lot of criticism in the saltillo where we didn't have enough affordability. So when something like this comes around I embrace it immediately because that's always been my goal here on the council to see these kind of projects that is going to benefit our people that have lived in our community for so many years and now are being displaced. So all I have to say is thank habitat for helping us out like this.

>> Troxclair: So this doesn't impact the number of units that need to be built?

>> Mayor Adler: I think as a general rule I think what we've heard is that as you -- we can build the development, obviously it has to work economically. And we want to have as deep affordability as we can, which means you have to lease units for less rent, which impacts the economics as people come in and say there's a trade-off, similar with unit size. The larger the unit if you have to do 10 units and they're big units than if they're small units.

[10:48:02 AM]

I support this amendment coming from the mayor pro tem because I think we really need to have the bigger units to the best we can have them. Just like we need to have as deep affordability as we can to the degree that we can have those as well. But I think those are the trade-offs. Mayor pro tem?

>> Tovo: Yeah, I appreciate the question and I think that maybe some of our speakers will talk about what the trade-offs might be with regard to this project. I will say when the families and children task force looked at this issue what they were hearing from the developers, from private developers, is that Austin is something of an untested market. This was awhile ago. I hope that things are changing, though I will say most of the projects that are coming before us are not two and three bedrooms, their efficiencies and one bedrooms. But what we're hearing is Austin is an untested market for family friendly multi-family development. And so they were having some difficulty getting loans for projects of that sort. This is a whole different animal because it's a non-profit. It's not private development. And again, I think a lot of time has passed since the families and children's task force and there are increasing numbers of people living in denser areas. But my guess is what we'll hear is it is something of a trade-off with affordability or will be in this case. We also hear a lot about the larger units and the research that I did as part of that task force indicated that families will live in smaller units if it's well designed and if there are multiple bedrooms is. So it's not always a matter after huge apartment to accommodate families, but it is a matter of it being designed with that in mind and having multiple bedrooms rather than, say, one. So I think just as a city we've been saying we want to encourage this kind of housing and we just really need to take some common steps for it.

>> Mayor Adler: Okay. Let's hear from some of the speakers we have signed up.

[10:50:03 AM]

I'll back up for a second. Is there any objection to including that last amendment on --

>> Troxclair: Can we hear the speakers first?

>> Mayor Adler: We certainly can. Let's call them. Claudia Ramirez. And on deck would be David King. You will be at the other podium, Mr. King.

>> Hi. I'm here to talk about habitat for humanity. I have one year living in my home that they was building for. I move over here -- I have a family of four people, my two boys, I have two boys. One is 19 and the other one is 17. Me and my husband we moved 10 years ago from Florida after the foreclose over there and the recession, and it was hard to live in one of those homes. We buy a mobile home, but that is the same expense as apartments and the houses, and it was kind of real expensive. And there is no cheaper homes around the area. So now I have one year over there living. I build my own home. I have one year living over there. My two boys, one is in the 12th grade and ACC. My husband has transportation to work and it's really easy to get when we move from another place so it was like 40 miles to go to work. So these are really close and we have our own homes, the kids has their own bedroom, and they're really nice. And it's not too expensive to move. They really help because otherwise the apartments close where we was living, it was about 2,000. So we could barely make it with two jobs.

[10:52:04 AM]

So it's not an option. And everything is close. My two boys still in school and they are doing sports and everything and they don't have to go far away to keep their goals.

>> Mayor Adler: Okay. Thank you very much.

>> Thank you, mayor, mayor pro tem and councilmembers. I think this is a great project. I always talk about we need to raise the bar on getting affordable housing in these projects and this raises the bar. So I think this is great. I just can't wait to see the project built out and we have low income families who can afford to really live here. I would just like to build on the point, the goal of getting larger units for multiple bedrooms so we can have more families with children there. Could we do something like setting a goal of 10% of the units will be multibedroom and then an aspirational goal on top of that if we can make that higher, something like that. And the other thing is -- the other component of this resolution is to initiate -- an initiative to create a new density bonus program for all transit oriented districts. I think that deserves more stakeholder input and review. I think it is worth looking at. And if this model works here I think it's a good model that could be used elsewhere. I just have to say habitat for humanity is a great organization. You know, they build single-family homes and I'm always up for saying we need single-family homes for low income families. It shouldn't just be apartments. So they do that and I appreciate that. And they're a great organization. I'm a sustaining member and I support what they're doing here. If this project involves the low income housing tax credit program, then I think it would be important that the city take a look at those programs because we know a frontline investigation talked about how the program really is being misused. I'm not saying that habitat is going to do that if they're using this program. They are a great organization. I'm sure they're going to do a great job with that program if they use it.

[10:54:04 AM]

But if it is involved I think the city should look at those programs in our city and see if we're getting the units and audit those to make sure that we're getting the best bang for the taxpayer dollars that are being used to fund those projects. Thank you very much for listening to my comments.

>> Mayor Adler: Thank you. The next speaker is Ebony trise. And Fernando Reyes is on deck if he wants to speak.

>> Good morning, councilmembers. My name is Ebony trise. And I am an Austin habitat for humanity homeowner. I have been a homeowner for three years. It will be four years in February. Since I've been a homeowner I have done successful things in Austin. Austin is growing. I thank you guys for what you're doing. As I heard councilmember tovo say about the households, we live in a city where it is diverse, whether it's single-families, whether it's single individuals, housing is needed. The thing about this project, the most important piece is downtown you mostly get people who want to rent. With habitat for humanity you own these homes. So these are homes where individuals will have families and they'll be able to attend school on a permanent basis whereas if you have renters who are moving year after year. So with Austin habitat for humanity, I have been able to start my own program where it's called

mission accomplished, and we help the homeless. So those are veterans and individuals who are dealing with domestic violence and drugs and alcohol. So we're dealing with different individuals throughout the city. For Travis county this is a great program, not just for single-families, because I am a single mom with a child, but I also am able to do much more because I'm able to afford my mortgage. This is an investment for my home. And I call my home my castle. That's where you're able to lay down your head and rest and knowing that I'm able to make a difference in the community, not just because of where I live, not just my community per se where my house is built, but where I live as Austin and Travis county as a whole.

[10:56:16 AM]

So this program is a great opportunity not just for the investment, but for the programs that they're building. They teach you how to do so many things. I've been able to clean up my credit. I've been able to help other individuals just to tell them about this program. So this is just a start. I don't know if you guys have ever been to DC, but just think about all the public transportation. Here Austin is a growing -- I mean a growing city. Of course, we'll never be like New York and I don't think I want to live in New York, but just their transportation, all of the housing that we'll have, all the public transportation, it will help individuals. I have a car and I have a home and I don't want to drive my car. So we've had to expand just in housing and then expand in public transportation, it's growth on both ends, whether you're a veteran, whether you're a single mom with two kids, a single mom with five kids, it's permanent housing, whereas in downtown most people move out after a year because why.

>> Your rent goes up. Whereas these are people who are going to stay there. All right, thank you. Have a great day.

[Applause].

>> Mayor Adler: Thank you. Last speaker.

>> Thank you for allowing me to speak. I want to follow up on something that Ebony said. I'm a veteran, and I was in danger of being displaced and having to leave Austin because of non-affordability. Of housing. And this opportunity came and I took advantage of it. And I did not appreciate just the godsend that habitat for humanity represents.

[Crying]. I'm sorry, I'm getting a little emotional. But you have city workers in my neighborhood who can afford to live, to work in this city that they serve.

[10:58:24 AM]

Otherwise they would have to commute. There are retirees that are my neighbors. One of which is a master gardener. She has a wonderful garden, but it's what you see on a daily basis, the new families that come and want to take their shot at the promise that Austin represents. But there's also an aspect of fairness that needs to be talked about, especially in the saltillo corridor in east Austin. I'm a native austinite and I've seen that aspect of my community displaced and forgotten. Not the least of which are the people that Sanchez elementary serves. This program needs to happen. It -- it needs a rebirth of

affordable housing in east Austin. And saltillo is a perfect opportunity. It's next to the commuter rail station. People can have access. And for once the communities that have been forgotten can take advantage of this wonderful opportunity. Thank you for letting me speak. Thank you for letting me speak

>> Mayor Adler: Thank you

[ applause ]

>> Mayor Adler: We have a late speaker sign-up, Wayne gerome.

>> Good morning, mayor, mayor pro tem, councilmembers, my name is Wayne gerome, I'm the vice president of client services at Austin habitat and I signed up to address the bedroom and affordability question that was brought up. First of all, let me say inside the organization there's no bigger advocate for multiple bedrooms, getting families in the unit. Me and my time are the first line that families, when they come in and say, hi, I need help, they're speaking with us.

[11:00:24 AM]

And so I see the need. See it first hand. I did also want to point out that this is an ownership project, so we won't be using low-income housing tax credits as that's a rental program so we won't be using that. There is a trade-off as was mentioned between affordability and bedroom size. As you eat up more square footage in any given unit that unit becomes more expensive and when you're dealing with affordable housing, unlike market housing, there's a limit on how much we can raise the price of that and still call it affordable. In a market development there's potentially wiggle room for getting more bedrooms and we'll push to get the most amount of bedrooms that we can fit in this. That's largely who we serve, is families, and we understand the need -- the school district to get kids into those schools. My wife is actually an elementary music teacher so I see that as well. I did just want to reassure you we'll be pushing for as many bedrooms as we can fit in any given unit. There will be some one bedrooms. There's a need there as well. And really if we were to be pushed to absolutely need to have a set number of multi-bedroom units, we would probably have to start getting rid of some of those deeper affordable units because that would just sort of be mutually exclusive based on how the economics of the deal work out. So we'll push for both the deepest affordability we can get and the most bedrooms we can get in the units. I just wanted to reassure you with that. That will be something that will play itself out as we work on the economics and figuring out all the pro Formas that go with a deal like this, so thank you.

>> Mayor Adler: Thank you. We're now back up to the dais. Mayor pro tem.

>> Tovo: I really just had a quick question for our speaker. Sorry. Thank you. Thanks for those comments. I understand the trade-off, and I appreciate all of the great work habitat does and you're embark on this development, I think, is really important.

[11:02:25 AM]

Do you have a sense -- so the language changed from the majority to a goal to have a majority. I mean, does that -- do you have any idea at this point what that balance might look like?

>> I don't. I am not the driving force behind that. I certainly am in the conversations. And I think part of this is driven by right now we don't exactly have an idea of what our limit is on how much we can build and how tall we can build and those conversations are going to matter.

>> Tovo: If you would just keep us in touch.

>> Absolutely, we'll keep you abreast.

>> Tovo: As you move through the process. Thanks very much for your intent to make this not just for singles but also for families.

>> Absolutely. Thank you.

>> Mayor Adler: Okay. Back up to the dais. Any objections to the tovo amendment being included? Hearing none, it is included. The base motion by the way I just want to confirm, Mr. Renteria, it is the motion that was handed out to the dais here as opposed to the one that was in backup. And I understand that the only change with that was the resolved clause that talked about the duration directed to evaluate the density bonus program and it was to establish appropriate affordability duration limits. It was changing the set years to appropriate. Any further discussion? Take a vote. Those in favor please raise your hands? Those opposed. It's unanimous on the dais. That passes. Thank you all.

>> Casar: Mayor.

>> Mayor Adler: Yes.

>> Casar: I wanted to take a second to thank not just habitat for humanity but my colleague, councilmember Renteria, I know this is something you've been working on really hard for a long time and it's really important for all of our community but yours in particular, so thanks for spearheading this.

>> Mayor Adler: Echo that as well.

[11:04:26 AM]

All right. What about the -- we have some people that are signed up on the two displacement items. We'll take those two, take those two up. Okay. Let's go ahead and do that. Those are items 53 and 55, I think. We have some speakers signed up. I'll call them up to speak. Maybe you can speak to both of them. David King, do you want to speak to the displacement issues?

>> Thank you, mayor, mayor pro tem, councilmembers. First let me -- mayor, if I may thank you for allowing the dais to talk about amendments to important resolutions here first and then allowing speakers to provide input after having listened to those proposed amendments. I think that is very, very respectful of the public who may -- this may be the first time they've heard about those amendments and you've given those of us who are here at least the opportunity to provide input. So thank you very

much, mayor pip really much appreciate that. And I'm here speaking in support of both of these items. I'm going to speak on item 53 creating the citizens anti-displacement task force. I'm for this resolution but I think it shouldn't be used as a reason to say, you know, this displacement strategy -- anti-displacement strategy we're talking about, let's let the task force stew on that and get back to us in nine months. And then the council will look at those recommendations maybe another couple comes on --months and before you know it a year has gone by. How many families will be displaced in the meantime? That's my main message. If we know we have good ideas on things we need to try now, let's not wait to apply them.

[11:06:26 AM]

Let's apply them now. And, you know, if we really cared about displacement, you know -- and I agree with councilmember Flannigan, we need to make the politically tough decisions now. You know, it's not easy being a mayor or councilmember. It's not an easy job. But if we really are committed to this, then we will make those tough decisions now and deal with whatever backlash you might get from developers who don't agree with some of these policies that you might want to implement. So I would say that we need to start now in trying to stop displacement that's occurring or slow it down. And I have some suggestions. I say that if you're going to upzone any property that's worth \$500,000 or more that you require a contribution to football housing fund to help people pay their utility bills, property taxes, rent, deposits, repairs for their homes, now, not a year from now. Now. The other thing I think we should consider doing is creating irresistibility to say to the market we know you don't really care about displacement because there's no profit in it. So that's the politically tough decision to make, is to push back on that. Because I know you're going to get backlash from developers who say, oh, no, you're interfering with my ability to make a profit and even some property owners who say, yeah, I like this so I want my property to be a little more valuable and, yes, I know people will be displaced with these policies. Those are politically tough decisions. And if we really cared we'll make those decisions. Otherwise we don't really care. We're just going to play with the market and make a deal with the market to somehow incentivize them to help us solve this problem, and we've done that.

[ Buzzer sounding ] Is and it hasn't worked. Let me offer one more suggestion if I might, mayor. I think we should look at requiring any demolition to a project to recycle at least 50% of the materials and, yes, we should look at imposing a temporary moratoriums on displacement in these areas changing rapidly right now where displacement is occurring now.

[11:08:38 AM]

>> Mayor Adler: Thank you.

>> Thank you very much.

>> Mayor Adler: Thank you, David. Gus Pena, rey Diaz, sosana Almanza, Bobby. . . And while she's coming up, mayor pro tem, I think you have an amendment that speaks to making sure we look back at the city work, the city auditor offered to do that for us. So if you look at the --



>> Tovo: I saw the backup, mayor. I had indicated in the work session and I had actually, I think, made reference to the sheet that my office had already done, and so I did go ahead and make a amendment talking about that. And then making exhibit a, which is just, again, a partial list. This is not -- I understand that the intent is to have the auditor look at a more comprehensive list but I assume the task force will get busy right away.

>> Mayor Adler: I think it's great.

>> Tovo: Since my office had already done some of that work and we have a starting place I think it's useful. Part of the intent, too, is we've got lots and lots of austinites who have participated in past planning efforts, in bringing forward resolutions they've asked for council sponsorship, many of which are reflected on that list and I want to honor their work and let them know we recognize it, we value it, and we are not redoing that work, we're building on it. It was important to me, too, because I was getting questions including from people who have been involved in some of this work, hey, you haven't moved forward all the recommendations from X report or this report. That is why I've brought forward my amendment.

>> Mayor Adler: And I was going to suggest that we make that exhibit a --

>> Tovo: My amendment embeds it, I think.

>> Mayor Adler: Okay. I was also going to direct that the city auditor is being asked to do that same work.

[11:10:42 AM]

We can discuss that. I was going to relocate exhibit a because the city auditor was the one that was going to do that survey of the work being done but we can talk about that.

>> Tovo: We can talk about that.

>> Mayor Adler: I'm sorry.

>> That's okay, mayor, mayor pro tem, councilmembers. I'm Susana Almanza, and regarding the whole gentrification task force, I've submitted a smart growth in gentrification in east Austin continuing relocating people from their homeland, a discussion paper we did in 2002. If you'll look through that there were several recommendations that we submitted in looking at the whole issue of gentrification. As a matter of fact, that paper, that discussion a year before that helped stimulate a lot of the gentrification task force and what we'd like to recommend is that you not wait nine months, like we stated earlier, that you look at one month or two months and come back, looking at the different recommendations, which ones have been accomplished, which are not, and actually devise a time line for those because, if not, as stated right now, we're being continuously gentrified and we need to do something about it immediately. If you look on this screen what I've put and you can't see the color code, it's a green and a red. But this particular census data is the Cesar Chavez neighborhood contact plan area. So if you look at this particular data, you'll see that in 1990, you know, you had 444 whites,

you had 179 blacks, and 3,225 Latinos in that community, and you go down all the way to the bottom, which is the 2010 census, and you see now that the whites is 1,020, African-Americans 254, and the Latino population has dropped from 3,000 to 1,961.

[11:12:46 AM]

And I think that, you know, more telling, if you look at that median income range and that's broken up into census block to the highest being two -- but the most telling is look at the graduates and professional. So you look at 12 -- when we had in 1990 to 27 and now we've got, you know, the whole total from -- I think it's 41 down to 29, 105 total versus 66 in 1990. So we know our community is being gentrified. We know what happened in that Cesar Chavez plan, and all the recommendations that we made, all the things that we said in that particular area would happen happened. Can you give me the next one? So we said if you blank zone our community commercial service mixed use you're going to displace the renters first, you're going to up the property taxes, we're no longer going to be single family, all of the things we said and we would be gentrified and that's exactly what has happened. It's a domino theory. It's happened to Cesar Chavez, it's happening to holly, it's happening to go valle and it's now in montopolis. It's nothing new. Let's look at the condos and lots of that have come since the Cesar Chavez happened.

[ Buzzer sounding ] Mayor, I'll ask for a few more minutes because it's two items. You can see now we're going condos and lots of from 225,000 all the way up to a million, half a million dollars in the Cesar Chavez plan area. And 236 of those have been built and look at the apartments, 934 total units. Most of them one bedroom from 1800 to 2500, two bedrooms from 1800 to 2700. In a community that was basically, if you looked at the median income, at a 30 to 40% median income and now how that has changed and the housing is now -- it's nothing being built there is affordable.

[11:14:54 AM]

Not anything. So once you look at mapping and you look at the census, I say you also not just map the census but map your policies. The other things that I gave to you was a time line on gentrification and how it's tinning to happen and through the things. And who is responsible for that? The Austin city council. The different departments. The planning department. The neighborhood housing. They have all been responsible for the segregation, for the gentrification of our community. And we have now reached the point that we have to do something about this structural racism that has been going on from the 1800s to the present and so I'm saying that you don't just need to map what's happened. You need to map your policies that help make it happen. And stop those policies. Because we've been going -- communities of color and the low-income poor have been going through codenext for a very long time since the 1800s. It's nothing knew. When we got blanket zoning in our community and no one else was getting that, when we were zoned industrial, when we got restricted zoning, northern California one was getting that -- no one was getting that. That was part of the whole codenext continuation of the racism and segregation so I ask you need to look at a whole total holistic pictures and it's not just map what's happening. We can tell you what's happening. We're on the ground living this, and it's a big crisis and so I does that you review the materials, you go through them, and let's not do nine months. Nine

months we could be totally gone, okay? We're fighting so many zoning cases. You'll see us appear today on another zoning case of gentrification that's coming into our community. So something needs to be done dramatically and that's what I ask for your assistance. Thank you very much.

>> Mayor Adler: Thank you. By the way, Ms. Almanza, the time line put in the most recent version of 53, asks the auditor to take a look at what's been happening.

[11:17:03 AM

The city pulled together the stuff within 90 days. So that that's where the process starts quickly. And then it has reports back earlier than nine months so we make sure we're not waiting until the very end to start getting things put in the community conversation. Bobby is our last speaker.

>> Thank you, mayor, council. My name is Bobby. I'm here with community, not commodity. We are in favor of this resolution because it's right -- it's asking the right question. Displacement has been a concern in our community for decades. It's not a new issue. We've been studying this task force after task force, group after group. We've got some great recommendations already. I think the mayor pro tem's resolution probably addresses that. I haven't seen it specifically but I do think that if we had recognized the recommendations that have already been made, we move forward with some of those recommendations now instead of waiting, it would be better than trying to recreate the wheel. On a separate point, I believe this resolution is in part a response to the concerns that have been raised in the community with codenext. Residents, homeowners and renters alike are talking about this issue, to the extent that the task force will work with the codenext process and make sure that the recommendations get incorporated into codenext before it's adopted, we support that and we will be working with the task force, however, we can to help with that too. So thank you.

>> Mayor Adler: Thank you. Those are all the speakers that we have. We're now back up to the dais. Let's take these in turn real fast. I would move approval of item number 53. Is there a second to that motion? Councilmember Houston seconds that. What's been handed out on 53 on the dais is a amended version from what was posted but it's the same thing, with the exception that instead of calling it -- it's being called the anti-displacement task force because it includes both citizens and residents, so that name change has been -- has been made.

[11:19:10 AM]

Mayor pro tem, you've made that -- offered that amendment, which I support because what's important to us, I think not --

>> [Off mic]

>> Mayor Adler: And as you said both at work session and Mr. Flannigan said at work session, we want to make sure we don't do that. I think we do need to take a look and see why those things haven't actually happened in the community or to vet them. And I'm fine -- and I will accept yours as a friendly amendment without objection, noting that that would also be wonderful information for the auditor to have while she goes through her work looking at that to make sure that we get that. I talked to -- our

office talked to the auditor and she was prepared to do that. Said in 90 days she's not sure if it would be the definitive answer to that question, but thought she could do a good job on that question for us, recognizing that limitation in time. Without objection I'm going to incorporate mayor pro tem's amendment. None. So that's incorporated. Councilmember kitchen? Or a direction. I think it's friendly. So since I haven't had an opportunity to talk with you about it prior I'll lay it out and you can let me know if you think it's appropriate as amendment or as direction. That has to do with the members of the task force. There's a reference to affected persons. And then there's a reference at the end of that, stating that the additional six task force members appointed by the mayor will consist of members who have not been appointed representing various fields and competencies. I wanted to call out the importance of including seniors and persons with often impacted by displacement. And so my initial thought would be to say representing the various fields and competencies including seniors and persons with disability. The reason I call that out is just because I'm not seeing -- I'm not seeing those populations represented or recognized anywhere in here.

[11:21:18 AM]

I'm not suggesting it's intentional by my means, but I just don't want to lose the thought that we make sure that we are addressing seniors and persons with disabilities. So --

>> Mayor Adler: I've had a lot of people come to me with -- I think that's a really good point and I've had a lot of people come to me with suggestions and the intent of having a group of people that could be appointed at the end would be to take a look at what was missing and I think that there are probably lots of different kinds of characteristics that I think would be real important. You could either make it as amendment or I would take that as direction in looking at who has been appointed. I know that councilmember troxclair also has another competency she wants to see. We could either make that as a formal deal or I would take that into account in looking at the people as well.

>> Kitchen: I'll make it --

>> Mayor Adler: I'm afraid I'll run out of spots.

>> Kitchen: I'll make it as an amendment if you consider it to be friendly.

>> Mayor Adler: Okay. Then to have someone that can speak to it as knowledge of senior issues, I'll take as a friendly amendment.

>> Kitchen: Okay. I just added it to the end of your paragraph about the additional six task forces, at the end of that paragraph, just saying including seniors and persons with disability.

>> Mayor Adler: Without objection we'll add that to the mayor's requirement that he make sure that's included in the panel. I accept any objection to that. Hearing none that's included. Troxclair, can we do the same thing with your suggestion?

>> Troxclair: Sure. I mean, yes. My amendment is to make sure there's local -- at least one point -- at least one person on the task force, and that's just because I know I saw a statistic recently I think from

the national association of home builders up to 25% of housing costs is due to local regulations and I just think it's important that we understand where there are possibly places for us to include.

[11:23:24 AM]

>> Mayor Adler: I think that's a good point. Without objection if we can include that. Also to the mayor to make sure that competence is included in that panel, that local government, policy expertise or experience, without objection, we can do that. No objection. That's included as well. Councilmember pool.

>> Pool: I want to offer an amendment to the final paragraph to include looking at the recommendations from the mayor's task force on institutional racism and system inequities report and this goes to the points Mr. King was making earlier, and we're working on getting everybody an Orange sheet with this language on it but it would say the categories of action would include stay in place policies, right to stay policies, complete communities. I think the complete communities piece is the new piece. And we can vamp for a little bit until we get the actual document in front of us.

>> Mayor Adler: Do you have the Orange sheet that's been laid out?

>> Pool: Not yet. We're working on it.

>> Mayor Adler: No, no.

>> Pool: Is it in here?

>> Mayor Adler: Again, we're getting -- we made it more general to make sure we would include things and I don't know if that includes the sentiment of what you want.

>> Pool: Hang on a second. Let me look at this and if there's somebody else -- hang on.

>> Mayor Adler: Other comments? Mayor pro tem.

>> Tovo: Mayor, I had a couple questions and now I have a third because I'm not sure if that is old or new language. I had a couple quick questions. I think I'm looking at the revised resolution, and it notes ten months and then it notes nine months and I just wanted to touch base on which was -- I'm not sure if there are two different things. It's the task force will commit to a nine month -- this is in the first be it resolved. The task force will commit to a nine month process and then later where it talks about the task force will be subject to chapter 21, it talks about them submitting a report back -- will meet at least once a month for ten months.

[11:25:36 AM]

So I just wanted to verify what our expectation is.

>> Mayor Adler: I was meeting once a month for ten months, so at that time with earlier look-backs or report-backs.

>> Tovo: Should it be commit to a ten month process.

>> Mayor Adler: I'm looking at the Orange sheets that handed out.

>> Tovo: So the first -- I think it's in the first be it resolved.

>> Mayor Adler: So I saw, that the task force will commit to --

>> Tovo: You made that correction on the one I handed out. I was working with the one from last night.

>> Mayor Adler: I'm sorry. I already caught that.

>> Tovo: You made that correction. Do you have an estimate? So there is a -- I assume with regard to the consultant that would be a cost. Do you have an estimate of what that cost is or how that would be --

>> Mayor Adler: Not yet. I'll bring that as a concept menu item.

>> Tovo: Okay. Thank you. And then I just want to -- I wanted to just make two very quick comments. I think the language about the right to stay is no longer in here, but I want to just strongly support one comment that came to us from an individual who asked that we not delay strategies that are moving forward that are anti-displacement strategies. And so, you know, we've had a healthy discussion I think about why -- about looking back and seeing why some previous action hasn't moved forward. Well, some of it has and I think will be coming back us to pretty soon. Like one suggestion the group might make is to build on publicly owned land. We initiated work last year. It's coming back to us very soon. I hope we will not delay we're able to move forward with actually getting projects moving on publicly owned land I hope we wouldn't delay it pending the task force work. The right to stay had and the neighborhood preference table actually wrote and talked about that in their correspondence from last night. I wanted -- I believe I've mentioned this in a previous conversation but that is actually -- we've -- my office several months ago drafted a resolution and we've been working on law to iron out some of the challenges there, but I do intend to bring that forward just as soon as we can complete that and that, too, I hope would not be delayed pending report back from the task force.

[11:27:47 AM]

So I hope as long as there's an understanding that we're not going to delay action on anti-displacement strategies while this group is going on, I wanted to clarify that for my own purposes, but also for the community members who have offered support for that as well. And then I had one other quick comment.

>> Mayor Adler: And I full-heartedly agree with what you just said. We shouldn't be holding anything up by virtue of this.

>> Tovo: Thank you. I think one of our speakers mentioned this, but I just want to underscore what we do in land use -- with our land use decisions can exacerbate displacement. Actually, several of our speakers talked about that. And so it is also important to me that -- I appreciate and look forward to the work that this group is going to do, but it is -- it continues to be an abiding concern of mine that the first

round of maps we saw, I believe, will increase displacement in some of our neighborhoods, possibly many of them. And so I hope -- I hope that our staff are really taking that feedback into account as they're making revisions to the map. While it is important we look for strategies at preserving affordable housing and doing other things that are anti-displacement strategies we also need to recognize that -- that the upzoning of properties could absolutely enhance displacement. Our demographer has indicated that and the consultants and their own envision tomorrow tool analysis indicated that as well.

>> Mayor Adler: And I would hope this task force would address that issue and let -- the arguments that are occurring in the community, give them a place for those arguments to be able to go. Councilmember pool, the wording in the last paragraph has changed but can I -- would it be fair to say that what your intent is is so if I add it now onto the mayor pro tem's language it would be -- it would be to provide information to the task force by previously adopted city council resolutions with the related responses from the city manager and then I would add there your language.

[11:29:53 AM]

>> Mayor Adler: Including but not limited to consideration of those recommended in the mayor's task force on institutional racism and systemic inequities.

>> Pool: That looks right. I'm not sure we need the words.

>> Mayor Adler: But not limited to consideration of" so it would just be including those recommended in the institutional racism task force report. I think we both have it at the same place, which is inserting in the very last sentence of the last paragraph.

>> Mayor Adler: Right. I'm looking at the amendment from the mayor pro tem, second to last sentence, it would be comma and then the -- and then the inclusion.

>> Pool: You know, what I think we're all saying pretty much the same thing.

>> Mayor Adler: I think so.

>> Pool: That is a great thing. Yes, that sounds good to me.

>> Mayor Adler: Any objection to that inclusion. Hearing none, that amendment is also made. Any further discussion from the dais? Mr. Casar.

>> Casar: Mayor, I appreciate the mayor pro tem putting together this list, and recognize it is a partial list and don't want us all to be adding lots of them so I'm afraid to open any flood Gates here but if the council would entertain it, I would like to just add on to this list resolution from 2015, 2010-030 and the reason for doing that is because I think it passed 10-1 back on the last set of the city council and I think it's appropriate because, as the mayor pro tem said and as the speakers mentioned, it's important to think about the land development code as this moves forward and I actually think we worked on this when Mr. Lavinski was on the second floor and the council directed city manager to maximize the code's potential to give low and moderate income folks the ability to live and stay in rapidly gentrifying areas

and high and moderate opportunity areas. That directive I do not think has been fulfilled. It's something the council asked for back in 2015.

[11:31:57 AM]

I've brought it up several times. I think the mayor pro tem's point is right that the staff does need to listen to that directive. Not just because we're insinuating it but because we actually voted as a body to ask for that analysis. And I really hope and expect that that analysis comes with this next draft. Otherwise, I'm going to continue -- I'm going heighten the volume on my frustration about the council having made this a priority to make sure we are analyzing how the code can slow displacement or Kelly rate displacement and its impact on people that would be most harmed by displacement. So I think that just adding that on to the list will be important. So that this task force does not, as its first job, think that they need to get us to pass a resolution asking for this because indeed it's been -- we're approaching on two years of us having asked for this and wanting this analysis. So I would just add onto the list to resolution 2010-030 from 2015.

>> Mayor Adler: Is there any objection to adding on to exhibit a this resolution, the 2015-2010-030.

>> Troxclair: I'm going to sustain. I haven't had a chance to review that resolution so I --

>> Casar: There's a list of about 30 or -- 35 resolutions of that just been added onto this thing and I'm telling you this is one more to do with housing.

>> Mayor Adler: That's fine. I didn't hear an objection to adding it to exhibit a, therefore, it's added to exhibit a. Okay. Let's go to -- any further discussion on this one on the dais? Councilmember Garza.

>> Garza: I just wanted to say thank you to the mayor for asking me to be a cosponsor on this. You know, I heard our speakers loud and clear, and I -- on one hand I agree that this is -- you know, we've had a lot of studies, we've had a lot of task force. The information is out there. We know what the problems are. I absolutely agree, and I sympathize with that, but I think it's important for our community to know that we are still trying to crack this, you know, really tough nut and figure out how to solve this problem because obviously if it was easy we would have solved it by now.

[11:34:06 AM]

It is absolutely a priority. I think of every single one of us to keep our minority families, our low-income families, all families, all people in Austin. So I would disagree with comments that this is entirely the fault of the Austin city council. And I think it's important to point out that many of the -- many of the hurdles that families face that create displacement are state issues, property taxes. We've seen that's a state issue. They have not been able to properly finance our public schools. The majority of your property taxes go back to the state. The way homes are appraised, it's a state issue. With discussion of how codenext is going to affect that and whether codenext caused displacement, it's not even so much the codenext suggestion, it's the way homes are appraised that is creating that situation and that is governed by the state. So I'm -- I look forward to the work that this group does, but I also -- I don't want this to be presented as here's another one and we're finally going to solve this issue. It's a tough



situation. We're constantly working at it. And I appreciate all the work of everyone on this dais and all the work that we've been trying to do to solve this issue.

>> Flannigan: I've expressed my concern about more task forces and just having more meetings to have more meetings and talk about the same solutions. I'm really excited to see the mayor pro tem's work pulling together the previous resolutions so we can make sure that's included. I also think it's important to acknowledge and to make sure that the community understands that displacement is not a central Austin or east Austin issue alone. It seems like every day I meet people that live in district 6 that used to live in central Austin now moving to cedar park and Leander and to a person it's about affordability and these are issues not limited just to areas experiencing development.

[11:36:07 AM]

They are broad issues affecting our entire community so I support the creation of the task force and I'm thankful for the mayor pro tem's work in pulling together the previous resolutions because I think it's essential that we honor the work that has been done and we stay laser focused on actually implementing things as quickly as possible.

>> Mayor Adler: Sounds right. It's been moved and seconded. The amendments we made to this were to -- as handed out, just be called the task force, it's a ten month period of time. The other changes were the mayor pro tem's inclusion asking the manager to make sure that we look at the past work, as will the auditor in giving us an exhibit a, which had 37 items and Mr. Casar added an additional one. Then the expertise or knowledge, we want to make sure is online panel. I'm instructed to take into account for the last ones include seniors and people with disabilities, as well as local government policy expertise and experience in regulatory policies concerning development housing. It's been moved and seconded. Mayor pro tem.

>> Tovo: I just want to underscore that's a partial list. I am quite certain we've missed some others, but I appreciate the addition.

>> Mayor Adler: That sounds good. And then we specifically also mentioned that the mayor's task force on institutional racism is -- also needs to be looked at by the city manager and hopefully that will be included as well on the auditor's list. Yes, councilmember troxclair.

>> Troxclair: While I understand both of these resolutions are created and pursued with the best of intentions, I do not think that we need a task force or another study to know what's causing gentrification. There are already -- I mean, if you want to put a simple Google search there are plenty of academic studies that discuss the reasons and, you know, to the point about the state, I mean, one of the reasons that we have so many people moving here to begin with is because Texas is a low tax state with a reasonable regulatory environment which makes it a really affordable place to live and a great place to create jobs.

[11:38:16 AM]

So that's -- we don't have an income tax. We don't have a lot of other state regulation that's other states have, which is one reason that we have so many people moving here. If it was a state problem, then it wouldn't be -- then this would be an issue that every city in the state is dealing with, but really it's city of Austin is the most expensive place to live in Texas. So there are clearly things we have done at the city level that are impacting affordability. I of course think one of those things is property taxes. There's no question that property taxes is one of the reasons that people are forced to move out of their homes. They can't afford them anymore and the statistic I mentioned earlier, 25% of the cost of a home is due directly to local government regulations. So -- and that coupled with the fact that the city of Austin has raised property taxes 8% year over year over year. I understand that's a small percentage of the property taxes that people are paying, but I feel like we know -- it is not difficult for us to understand what we can do to help address the problem and I understand the symbolism that this provides to the community. I know that this is a problem that is -- that is pressing and that it's important to not only my colleagues but to many people in Austin, but I just would prefer that we take action on the things that we already know are causing gentrification rather than creating another study and task force.

>> Mayor Adler: Okay.

>> Casar: Mayor, quick question. Are we voting just on --

>> Mayor Adler: 53. Yes. Any further discussion? Those in favor, please, raise your hand. Those opposed? Ms. Troxclair votes no. Others voting aye. Let's get then to 55. You want to make your motion?

>> Pool: Thanks, mayor. I move to approve item 55 with the amendments offered by councilmember kitchen and councilmember Casar.

[11:40:23 AM]

And thank you, everybody, for all your help on advancing this study and mapping effort.

>> Mayor Adler: Second by councilmember kitchen. Discussion?

>> Casar: Mayor.

>> Mayor Adler: Yes.

>> Casar: I'm very supportive, appreciate councilmember pool bringing this forward since I did post my amendment to the message board but I will hand it out to everyone so that people know. It's pretty -- it's what I set out loud at work session.

>> Mayor Adler: Okay. While that's being handed out, councilmember pool, this is also going to be funded with concept item menu.

>> Pool: That's correct. And my staff was working on submitting that yesterday.

>> Mayor Adler: Cool. Thank you.

>> Pool: You bet.

>> Mayor Adler: I think that's been handed out. Mr. Casar, you want to talk.

>> Casar: I think councilmember pool incorporated this into her motion so if there's questions we'll take them.

>> Mayor Adler: Without objections that incorporated. Okay. Ms. Kitchen.

>> Kitchen: The amendment I had is in backup and it's the same thing I posted on the message board. I don't have copies to pass out, but it is in backup. Just -- so I think it was accepted by the --

>> Mayor Adler: Okay. Ms. Kitchen's amendment. Any objection that being included? If not, it is also included. Further discussion on the dais. Councilmember Garza.

>> Garza: I have a question about the budget aspect of this. We've often talked about not doing this through resolutions. Which I actually disagree with. But I just want to know what the sequence is. Is this -- I'm wondering if there should be some kind of qualifier that says if that amount is approved in the budget.

>> Pool: Right. That was the question that the mayor was just asking, if I was following up with the budget concept item, and we are. I think my staff was writing it yesterday and submitting it. This simply gives the parameters of the cost and then we will be voting during our budget process on whether to fund it.

[11:42:31 AM]

>> Mayor Adler: So it just --

>> Pool: This also gives the ceiling of it. It could come in as less than -- I think the total was \$69,000.

>> Mayor Adler: This just asks for an interlocal agreement to be drafted and you've given out the parameters for that. Whether or not it gets funded will be a vote we take up during the budget process as part of the concept menu.

>> Pool: That's correct.

>> Garza: Okay.

>> Mayor Adler: Mayor pro tem.

>> Tovo: Councilmember kitchen, I think I heard you say that you had an amendment on the message board. I'm not seeing an amendment on the message board.

>> Kitchen: It's in the backup. I said it's in the backup. So it's in your backup. It simply says that --

>> Tovo: I -- I think my staff printed out my work last night. I'm not saying --

>> Kitchen: It's in the backup. I'm happy to read it.

>> Mayor Adler: Why don't you read it.

>> Kitchen: Yeah. Yeah. It says city council requests that the study include -- the additional language is that the study include data in the mapping on public infrastructure using existing data and the amount of the study is changed from 62,000 to 69,000. So that is -- is that clear? Do you want me to read -- can you see where it's at?

>> Tovo: I see it now. Thank you.

>> Mayor Adler: Okay. That, by the way, has been included, the kitchen amendment has been included. Any further discussion on this item 55? Ms. Garza.

>> Garza: Just want to signal my concern about the budget line item. We have time to think about that but here, again, I feel that this -- I agree that the studies have been done. We know where the problem is. And \$62,000 could be spent -- I'm going to support this, but, you know, that could fund a position at a nonprofit that is providing direct services to this very community. So those are my concerns, but I will support this.

[11:44:32 AM]

>> Mayor Adler: Okay. Further discussion, Ms. Pool?

>> Pool: I just wanted to add, because I generally agree that we have a lot of information out there already. What this specific study does is provide us with an actual tool. It's a software mapping tool. We don't actually have that. That's work that professor Mueller up at UT has crafted in her various study groups and in her line of expertise, and then we will have access to that mapping tool and the software. Our staff will use it in -- I'm hoping it will be in the neighborhoods and community development department. So we'll actually have an analysis tool that we don't currently have.

>> Mayor Adler: Okay. Any further discussion? Those in favor of this item 55 please raise your hand. Those opposed. Troxclair votes no, others voting aye. It passes as well. Okay. We have -- let's do co-ops, item 51. I think there are three speakers on that item. Do you want to ask your question, mayor pro tem, first on the co-op item? On this item and I pulled it to make a women amendment, and that was it. I did distribute it on the dais.

>> Mayor Adler: Okay.

>> Tovo: There was a little bit of confusion, and I understand why it happened over some of -- some of the language, and so we've made a few -- we've made a few adjustments to that language just to clarify that. The economic prosperity commission was very specific about how many points they suggested be added to applications for cooperative housing developments, and so we cited that in the whereas, in the original resolution, cited that in the whereas but had a line in the further be it resolved to adjust the

scoring criteria to equitable -- levels and that was causing confusion that we direct staff to add those additional points in.

[11:46:42 AM]

And that's sort of -- it is both -- I wasn't prepared to make that assessment and it's also an operational issue. So we just adjusted that language so that it now would say "The city manager is directed to incorporate scoring criteria" and later explain what we would mean by equitable based on the levels of affordability that the cooperative can achieve. So I hope that that helps clarify that. Again, just as a clarification, I am not suggesting that our staff go forward and add in those additional points in just the way the economic prosperity commission suggested. That was there for reference and I trust that the staff will come up with criteria that -- that allows these projects to be -- to compete successfully, whatever that looks like, in terms of how you revise the criteria. Then I've also handed out in the same amendment sheet, I've added a further be it resolved to pick up one of the recommendations of the economic prosperity commission which is to explore the idea of -- for those multi-family properties that are falling within the repeat offender program, where there are lots of health and safety issues and they've been identified by our staff as unsafe properties, to ask the staff to explore whether there's a possibility of creating a program where the tenants who live there would have the first right of refusal to purchase those units through assistance and a program from the city. So I thought that was a great suggestion and it made sense to incorporate it into this resolution, so that's the other amendment I would make to my own motion if I could make my motion but I've now talked too long.

>> Mayor Adler: Okay. Any objection to the mayor pro tem making her motion? Mayor pro tem makes a motion. Is there a second to that? Mr. Casar seconds that. We have -- excuse me. Any objection to incorporating the amendments? Hearing none, the amendments are incorporated. We have some speakers to speak.

>> Casar: Before the speakers pop up, I hope my amendment would also be considered friendly, which is, again, what I brought up at work session, I'll hand it out.

[11:48:46 AM]

Essentially asking the city manager to identify any other hurdles to Kay cooperative housing development in the city and to report those to us as well.

>> Tovo: I consider that to be friendly as long as the ampersand is an and.

>> Casar: Is there an ampersand.

>> Tovo: There was in the other. We have solved that journey it's completely friendly.

>> Mayor Adler: Completely friendly. Any objection? Hearing none, that amendment is also included. We have some speakers that have signed up on this. This looks like it's going to pass. Mr. Pena do you want to speak? Mr. King, do you want to speak? It looks like this item 51 is going to pass. Do you want to speak to it? Great. Thank you. Susana almain, does do you want to speak? Ryan nill is on deck.

>> Good morning, council members opinion I'm Susana Almanza and I definitely support the whole issue of adding cooperative housing but one of the things I want to make sure and do is because comfort mobile home park and just -- in the very near future will be under siege because of the Riverside corridor master plan. That was passed by the city council that displaced already over 1700 affordable units. That was done at the council level. Not at the state level. Not at the federal level. Okay? So I'm saying that we need to target in the mobile home parks to make sure how can we start to buy them and transition them into cooperative housing because they are the number 1 target here in Austin. The other thing is that most scholars have written and proven that land use and zoning is a tool that has been used to segregate and gentrify our community.

[11:50:47 AM]

There's no doubt. Sure, the state has played a level in not doing inclusionary zoning, not doing rent control, but the council has a lot of power. From 2000 to 2004, Mueller's class at UT did a study of the Cesar Chavez contact team area and after the adoptive plan due to speculation and zoning change the land value went 400% increase, the land value. The taxes increased for people 153%. So here, the city, yes, you do have an option. You can do a city tax freeze for the elderly owners at 65 like ASU has put a cap on it. You haven't done that to protect the elderly who are now in jeopardy of being gentrified. So, yes, I have a lot of concerns that if the city doesn't take -- doesn't take responsibility for the things, how can we jump that hurdle? If we keep saying it's somebody else but you're the main ones in control of the zoning, what you do and the policies, we'll never get passed the segregation and the gentrification that this city continues to live under. So please, let's not be -- let's not take on the community who is living and being gentrified and especially people who have been there all their lives and understand the issue, who really have lived displacement also. We really understand what's happening. Some people have just come into Austin community and haven't done enough study of what the timetable of gentrification and segregation that has gone on in Austin. And if not read the color of law. I asked you to read the color of law book that is out. That gives you the big national look at it if you want to look at the national and how that's impacted your city government. But let's -- I think the cooperative housing is a good thing. Thank you.

[11:52:47 AM]

[ Buzzer sounding ]

>> Mayor Adler: Thank you. Mr. Noll.

>> Hello. My name is Ryan Noll. I'm the treasurer of the Austin cooperative business association and I wanted to speak to the amendments that come to brought about assigning points equitably to affordability and to talk about the levels of affordability that Austin area cooperatives have achieved. And my organization has been doing research and we have identified that the costs are approximately 40 to 70% below market rate housing in the zip codes that they are located in. And some of these houses do it with minimal subsidy, like a sales tax subsidy. The one on the right in the graph actually does it with zero subsidy as they're incorporated as a for-profit cooperative. So I think this is a very good tool for achieving affordability at low costs. In a way that is empowering to residents because this

is a democratically managed property by the residents. So it does it in a way very similar to achieving home ownership does but since these residents pool the costs they're able to achieve lower costs than just single independent homeowners are able to achieve. Also I just want to speak quickly to Ms. Almanza's point, I know there are a group in town trying to incorporate a mobile home co-op in town where I live in north Austin so I think that is definitely something we can look at going forward. Thank you.

>> Mayor Adler: Thank you. That gets us back to the dais on item 51. It's been moved and seconded and amended. Any questions? Let's take a vote. Those in favor please raise your hand. Those opposed? Unanimous on the dais. We have two items. We have a lot of people signed up on number 15 but I think there might be an agreement on that. Do we want to try to handle that or hold everybody over? I don't know if -- the question would be since there's an agreement at this point do people still want to speak?

[11:54:51 AM]

If they do we're going to have to handle that after lunch and after the next two items come up. Or are we to do that? Do you know -- ready to do that? Do you know, mayor pro tem?

>> Tovo: So, yes, I believe there's a set of conditions to which the parties have agreed. I don't know the answer to the question of whether or not everyone who signed up, the 11 people, would want to still speak.

>> Mayor Adler: Let me ask that question. Is there anyone here that is going to want to speak on this item 15? If so we'll do it after lunch. Is it just one speaker that wants to speak? Let's call up 15 and I'll let you speak.

>> Thank you, mayor, councilmembers. I'm Joshua Hogan with Maker Architects, and we would just like to say thank you. We've worked with your office in the past two weeks to reach this agreement with the neighborhood, and we appreciate your support and listening to us and helping us make this project possible. Thank you.

>> Mayor Adler: Mayor pro tem, do you want to read in what the agreement is or --

>> Tovo: Yes. I don't see anyone from the neighborhood association indicating that they would like to speak. Okay. So -- I'll make this quick, but I do need to read the conditions, and I need to make some prefatory remarks. As many of you know I once was a resident of Bouldin Creek neighborhood association and I think I was president or something like that during the time this project was -- where this block redeveloped, and it was a pretty -- let me just say long and somewhat sometimes contentious process, and it resulted in a series of legal agreements in which the neighborhood and the applicant came together and they were able to codify those conditions and, again, in a series of legal agreements. One of them -- and some of you may have gotten this background in your background meetings, but one of them was an understanding on the part of the neighborhood, but, unfortunately, not on the part of the applicant that there would not be commercial thereafter on EBA so in the last couple years we've received lots of concerns about that.

[11:56:56 AM]

In any case, so there's -- this was more complicated than just -- there were issues that were complicated by the discussion about the encroachment and I appreciate my colleagues and everyone else's willingness to postpone this a couple weeks to see whether we could have a discussion that resolved some of those other issues that were resulting from a -- from a provision that we thought -- I personally thought as a signatory to the agreement had been codified that was unfortunately -- unfortunately, law is suggesting can't be enforced. So there is really -- I think we've got a solution -- we've got some good provisions that I'm going to read into the record here that will mitigate some of the situation. I, again, appreciate the applicant and the applicant's representatives. I really appreciate the ongoing work of the neighborhood representatives. Some of them who started this -- talking about this some 12 years ago and I really want to just commend senior policy advisor joy harden who has had hours and hours of meeting about this issue over the last several weeks. It is my understanding this is agreed to by all parties. The applicant agrees to -- and pay the city of Austin application fees, the eba street residents may incur in the application process, including the initial permit fees for the residential neighbors on eba street between Elizabeth and Gibson street and subsequent permit fees for five years from the day that rpp is established. To move all commercial services and delivery trucks with the exception of garbage and recycling pickup off of Eva street and relocate them to the alley. I would add to that I would -- I understand from the applicant they don't believe it's possible to relocate the delivery -- the garbage and recycling pickup. I would strongly urge you to take another look and if there is a way to relocate those please do. The residents along Eva street I think are rightly -- are rightly feeling the -- the new impact of having that commercial traffic now shift to Eva right in front of their houses.

[11:59:07 AM]

I've been by lots of times. It is a busy street. And it is -- they are very concerned about it turning into, you know, functioning in the way that alleys do in other parts of the city. Number 3, request and support the neighbors in working with the city toward elimination of the on-street parking on the east side of Eva street adjacent to the hotel. Four, design and pay for pedestrian safety enhancements in the alley to include rumble strips, shielded nighttime lighting, designated crosswalk zone, signage for drivers and -- 24/7 on-site security and traffic-calming devices. Five, extend N and six, assist the city of Austin with monitoring trends in the volume of traffic and to work with city staff in the implementation of these measures to improve traffic flow. So those are the conditions that I would ask the applicant's representative that you are in agreement that these become part of the work that you're doing with our city legal.

>> Yes, we're in agreement with that.

>> Tovo: Super, thanks. And I saw someone from the neighborhood. Will somewhere? Will you come up and confirm, corrie? Corrie Walton?

>> Councilmembers, thank you, corrie Walton, president, Bouldin creek neighborhood association. And we have withdrawn objections that were submitted earlier provided that these provisions are read as conditions of the granting of the encroachment variance or whatever.



>> Tovo: Thank you. Thanks for confirming that these are pieces.

>> Mayor Adler: It's been moved we approve this item 15. Is there a second to that? Councilmember pool seconds that.

[12:01:07 PM]

Is there any discussion? Those in favor please raise your hands? Those opposed? It's unanimous on the dais with --

>> Here I am.

[Laughter]

>> Mayor Adler: It's unanimous on the dais. It is a minute before 1:00 -- do we have time to take care of -- 12:00. Do we have time to take care of item 9:00 before we leave?

>> Tovo: I think so, mayor. I have two extremely quick questions. The Q and a for this item indicated that -- this is a family business loan agreement for lone star service company and I wanted to understand firstly whether they intend to commit their -- commit to the ongoing service to -- the ongoing work with underserved communities in Austin. I think there was a reference to the fact that they have worked with children in that part of -- part of their commitment has been to financially limited underserved residents of Austin. Is that their intent to continue that?

>> Good afternoon, sylvia holt-rabb with the economic development department. They do plan to continue and with this expanded facility it will give them more opportunity and we have representatives here from lone star.

>> Tovo: And in the Q and a there was a response that the non-profit would benefit from the relationship with the for-profit, which is what we're funding. The family business loan would be funding the for-profit. And it's said they could use the charitable profits could be used to fund additional scholarship opportunities for players with financial need. I really needed to understand -- I understand they could do it. Is that their intention, is that their expectation that they will fund those programs from the for-profit?

>> That is their intentions.

>> Tovo: Okay, perfect. That was really what I wanted to confirm. Thank you.

[12:03:09 PM]

>> Houston: I would like to move passage of --

>> Mayor Adler: Ms. Houston moves passage of item number 9, seconded by Ms. Alter. We have one speaker, Mr. Hirsch. Are you here? Okay. We're back up to the dais. Ms. Houston?

>> Houston: So could the staff -- because Mr. Hirsch sent everybody a statement and I just want to be clear that some of the things he's asking for you cannot pay for with the family loan program. This is not for a lone star soccer. Y'all be good.

-- Y'all are good.

>> Good afternoon again. The 650,000 is strictly for the concession portion of the buildout. The entire project is \$5.8 million. And our funds will be going towards the concession buildout only.

>> Houston: But I want you to speak really quickly to the assertion that some of these funds could be used to create affordable housing with federal investment or repair homes owned by low income residents.

>> Per the section sole loan program, there are certain areas that the loan funds could be used for. The current allocation that the city of Austin's economic development department is operating on is for economic development purposes only.

>> Houston: Thank you. I just wanted to make sure that everybody got that.

>> Mayor Adler: Item number 9 has been moved and seconded. Any further discussion? , Mr. Flannigan.

>> Flannigan: Don't walk away just yet. I'm a little confused because the development is in the etj.

>> That is correct.

>> Flannigan: And this is a business correctly located in di district 6. Is it moving from the etj?

>> The headquarters location is moving into the etj. And per the guidelines approved by council, the family business loan can serve the city of Austin as well as the city of Austin's etj.

[12:05:17 PM]

>> Flannigan: So we're funding a business in part to leave our tax base and move to a non-tax base area. Is that what's happening with this?

>> Again, it is located --

>> Flannigan: Where they said both for the concessions and the property tax, neither of those two things will come to the city of Austin.

>> That is possible, yes.

>> Councilmembers, my name is Javier [indiscernible], the loan director for the program. I think it's important to emphasize that the current benefits provided by lone star soccer are actually wide and broad felt. So a lot of the actual soccer fields that are currently operated by lone star soccer club benefit the city at large. So the particular location of that particular facility will not change the fact that they will continue to serve youth soccer, mid level, basically academic soccer, up to the opportunity to play

professional soccer. And those benefits will remain within the city and actually expand. So as was mentioned, funds will be used for this particular facility for the concession, spirit wear, so they can contribute to the overall experience of local soccer here. And lone star has a long history here as one of our homegrown soccer organizations here. And we do have organizations -- soccer organizations that are coming from out of the state and into Austin. I think it was recently reported there's going to be soccer opportunities for fans to go view at circuit of the Americas, the importance of this particular project was to lift up one of our local groups here so they can provide services locally as well.

>> Flannigan: How many loans have we made under this program roughly?

>> We've actually approved by council 16 total.

>> Flannigan: Is there a limited amount of how many loans we can be making during this program.

[12:07:21 PM]

>> Currently we have an allocation approval from hud in the amount of \$11 million. We have already expended approximately four million dollars of that Cal -- allocation, and we are have a pipeline now on track to complete that allocation.

>> Flannigan: Is there a waiting list for that program?

>> Yes, sir. As indicated, the pipeline is essentially a waiting list and we have far more demand currently than we have available financial resources to fund all these particular deals, but the opportunity with lending is where if we can move very quickly, as quickly as possible within the confines of our structure, we will attempt to fund as many first come, first serve opportunities that are qualified and eligible based on hud criteria as passed by council and by hud.

>> Flannigan: So the distribution you've been given -- the direction you've been given are not going to add businesses that add to our tax base?

>> Not necessarily. The guidelines are -- the guidelines are actually a function of hud's public benefit as well as targeted communities of low to moderate income. So our commitment with respect to the criteria and the guidelines are to serve the low to moderate income community where we require a job commitment document or agreement that they will offer 51% of jobs that are created through these particular loans for low to moderate income persons.

>> Flannigan: So this is a program in theory that is entirely funded by federal dollars under federal direction?

>> We fund up to 40% project.

>> Flannigan: So there is city taxpayer dollars going to the projects?

>> No, it's only federal funds. Totally federal funds. No tax dollars.

>> Flannigan: Is the city reimbursed for its staff time in administering this program?

>> No, not through the federal funds, no. It's funded through our small business program, which is a benefit we offer. One of the benefits we offer to small businesses in the Austin area.

>> Flannigan: I see, all right.

[12:09:23 PM]

Thank you. I'm not going to support this item even though I sense from the dais that it will pass because I feel that if we're going to allocate limited resources to small businesses, that those small businesses that stay located in the city of Austin should be the ones that receive that benefit and assistance. We are essentially at this time paying staff time to build tax base for Travis county, but not tax base for Austin. And I don't think that's a good use of our staff time and I don't think it's a good use of how they manage pass-through federal dollars. So -- this is not a knock on lone star soccer. This is not about what a that company does, what the for-profit does. If I'm going to support small businesses, I want to make sure they're small businesses that stay in the city of Austin.

>> Troxclair: You said this is a hud program that you can only use for economic development, but it has to be for low and middle income economic development. Can you explain that again.

>> For this particular allocation, the eight million dollars that the city council approved back in 2012, it was specifically for economic development. If the city of Austin wanted to apply for use in one of the other categories, they could.

>> Garza: But I thought you also said there was a factor about low to middle income something?

>> Because of the requirements, 51% of the jobs have to go low to moderate income individuals and we track that via our compliance process.

>> Garza: So none of the funding is tied to the service or product that is provided by the -- and where it goes?

>> The ultimate objective is job creation.

>> Garza: Okay. I guess I just wanted to point out -- I have similar concerns to council member Flannigan. I'm still going to support this because it's obviously been -- it's a process.

[12:11:25 PM]

If you want to change that, I'm open to that. And I -- you said it was council direction that also allowed the etj. So would it just take council direction to no longer allow that?

>> You could amend the guidelines.

>> Garza: I would be interested in doing that. I just wanted to point out that while this organization is a non-profit that does provide services for families throughout Austin, it's my understanding that this specific loan is for a to be formed entity. That is not the non-profit leg of it, that is correct.

>> That's correct.

>> Houston: And mayor --

>> Mayor Adler: Yes, Ms. Houston.

>> Houston: Let me say I had some of the concerns that you all have expressed. It's the job creation part that I talked with both lone star soccer and the economic development department about, and we've carved out an area that's close enough to where this will be located, if you all pass this resolution, so that young people and older folks who live in the far northern part of district 1, in district 4 and district 7 are where we will be looking for those employment opportunities, and that's part of the pflugerville school district and part of the manor school district. And we have pockets out there that would fit the description so they would be eligible for employment opportunities at this site.

>> Yes. We've talked to them about a marketing strategy for those jobs.

>> Mayor Adler: Councilmember alter.

>> Alter: Thank you. I just wanted to clarify the model that lone star is operating with here. So am I correct -- I'm gathering this from the questions that were answered. That they're continuing the non-profit and then they're creating the for-profit to go along with it, and there are things they're constrained from doing as a non-profit that they're able to do as a for-profit. So in some sense they're creating the for profit that they can do that they otherwise can't that they think will ultimately play back into allowing them to achieve the mission of the non-profit.

[12:13:33 PM]

It's not that they're creating this business -- the idea of creating is is like a social enterprise that feeds into the non-profit as opposed to something that there are individual owners of who are create the profit. Is that the full extent of the model?

>> That is correct.

>> Alter: So essentially the owner of the for-profit is the non-profit. So whatever they benefit from, from having this different status for a particular subset of their activities, that then provides them more resources to accomplish the goals of the non-profit, which are very much in line with a lot of the things that we as a city council have said that we want to create throughout the city? Is that correct?

>> That is correct, councilmember.

>> Alter: So I think this is a slightly different case than where we are looking at the etj and not trying to do that. There's a little bit of complexity to what they're trying to do that I think is important context as we evaluate these decisions.

>> That is correct. Thank you.

>> Alter: Thank you.

>> Mayor Adler: So I'm going to vote for this too and this process and I don't have a problem with finding something that's in the etj if there's a requisite benefit to the city. I think more and more we will do overtime is going to be regional, but it was the other thing that you said where we have a limited amount of money and we issue it on a first come, first serve basis. So as you're looking at the criteria I would love for us to have criteria that went beyond that, that went to relative need or benefit or I think that would be criteria I would like to see, and certainly whether or not we were funding something that was locating something in our city could easily be one of the criteria that gets looked at in terms of its benefit to the city. Ms. Garza?

>> Garza: It says 21 jobs within five years for city of Austin residents.

[12:15:36 PM]

Do they report back and do they give an address for each person that they've employed?

>> Exactly. They have to because we have to save their income and they're location because of the 50% loan model we have to make sure it meets that criteria. So we have to evaluate that on an annual basis as they have their job creation.

>> Garza: Does part of the job creation is the city has put a priority on living wage and contracts and that stuff. Is our living wage tied to the jobs that they provide in any way?

>> We've actually spoken to the organization and as we mentioned there are members here that could speak more to that point. But they have shown to us a strong commitment and they have vocalized a strong commitment to a liveable wage to their employees. That was something as a non-profit they're mission based, but they also want to make sure they do well by the folks they hire in the community that they

[12:21:39 PM]

councilmembers. My name is Matt Wallace, a resident of district 9. I would like the media person, if you could play my video, please. I want to read from the policy manual for APD. He shall conduct himself in such a manor as will minimize the possibility of having to use force. To this end he shall cultivate a dedication to the service of the people in an equitable up holding of their laws, whether in handling with law violators or dealing with law-abiding. And after this incident you see here on your video APD's statement was the chain of command will view the response to resistance and the incident to determine what lead up to the events captured in the video and whether the officer's actions were in compliance with APD policy. I think this example shows clear evidence that they were outside of policy with dealing with me and this arrest that happened on November 6, 2015. Now I'd like to speak on a point of transparency. And investigations of police misconduct. Some month after this altercation with the police, internal affairs invited me to an interview to aid in their investigation of this situation that happened and I could quickly tell their intention was to intimidate me and somehow get me to incriminate myself. The sergeant had made it aware that he had seen the same video that I just played for all of you, but instead of ensuring me that he intended to uphold the policy of the department, he

took every opportunity to distastefully justify and try to defend his officers, saying something to the effect of, you know, we're only trying to maintain

[12:27:33 PM]

>> Hello councilmembers and Mr. Mayor. I've spoken to city councils in my life three times. I think this is the fourth. I want to discuss the carbon monoxide that's going in your APD vehicles. I'm sitting at the television screaming my head off because this has happened before in 18 in 1988, owe a large fleet of vehicles had carbon monoxide coming out of them. I made a video of it. You go to YouTube and put in carbon monoxide, buses, Austin. It was aid school buses. Penetrations had been made of the floor. Some idiot had the air conditioning put on the buses and now the windows were closed to the leaky exhaust systems, they knew they were leaky, they were faulty, they should have welded them shut, but they didn't. It was coming up in the buses. Monitors started falling asleep. If they did it twice they would fire them. They weren't falling asleep, they were going unconscious, the same thing that's happening to some police officers around the country. There's a video about that. How do you stop it? You plug those leaks. But what I see on TV is the same thing that happened at aid. Administrators were pointing at mechanics, mechanics are pointing at manufacturers. Officers don't know what to do, bus drivers didn't. Finally we just plugged them all up and supposedly the exhaust systems were corrected. I was a member of the classified consultation council at aid. I represented grievances to the school board. I got on that with a petition. I'm the idiot that had the air conditioning put in.

[12:29:34 PM]

We were losing students so it had to be done. When you pass out students to their mothers and they're unconscious and their mothers are crying, it kind of breaks your heart. I want to say to APD and to y'all, get rid of those APD cars and SUVs. Nobody is going to trust them. I mean, your offices are -- if they have any smarts at all they will be running around with the window open. You can try to track it down, I don't know if those vehicles have sealed bottoms on them or not. How do you check the exhaust system and make sure it's working properly? At aid it was a donut gasket that somehow was disappearing and that prevented the exhaust system from coming apart. But then any time you put your food in it, accelerated, gases were coming out under the bus and that was where the problem was coming from.

[Buzzer sounds] I'm not sure what that was, but that was really all I had to say. I lost a friend who got more of that carbon monoxide than I did. I've been tested and I have right side brain damage from it, two different neuropsychologists have given me different reports. It's called co syndrome. Daily exposure to low levels of carbon monoxide on a daily basis causes brain damage. I'm going to say it again, get rid of those vehicles.

>> Mayor Adler: Thank you.

>> Get some new ones. Thanks.

>> Garza: Mayor, it was my understanding that all those vehicles had been taken out of service, is that right? I just wanted to make sure.

>> That is correct. On July 31st I announced we were taking all the vehicles, the Ford explorers away from the police department so we could have them checked out working with the Ford motor company so we have made arrangements for our officers to be in other vehicles, not those vehicles that had the carbon monoxide problem.

[12:31:50 PM]

We also had a few other departments that used those types of vehicles. They've also been moved to other vehicles so they're not at risk of -- a safety risk to our employees or the public.

>> Mayor Adler: Thank you. Frank Ortega. And then Allen Roddy.

>> Good afternoon, mayor, city councilmembers, my name is frank Ortega and I'm the lulac district 7 director for central Texas. Today lulac is here to urge you to consider and adopt our resolution requesting that there be appropriate demographic representation in stint workforce in each department at all levels and within your boards and commissions appointments. We especially ask that when filling vacant positions and board appointments that you consider closing those existing gaps with those that have not been appropriately represented according to our most recent demographics information in an earnest effort to achieve true equity. Lulac supported the adoption of the creation of the city equity office through the recommendations of the Latino hispanic quality of life commission and we thank you for this. But there is further need to address the underrepresentation of Latinos holding positions of leadership within your city departments, including constituent equity office. And we must data this by ensuring that those hired are the best and brightest. That they have proven success in business and government of removing barriers and creating departments that reflect our diverse population. That they have created opportunities for their staff to develop and succeed while providing that the workplace reflects our population. In our state of Latinos Austin, Texas, report, we outlined 14 strategies and policies to help bridge the quality and affordability gap that are happening. This continues to be growing problems.

[12:33:51 PM]

Hiring and retention rates have not been improved to show that gaps have been closed and senior management and executive staffs do not reflect Latinos in Austin. Lulac will work with your equity office and with each of you and your staff to ensure that our workforce and civic participation draws from all segments. As together we model what is best in Austin. We also urge you to seriously hire a Latino as city manager. Thank you for your time and please support our resolution. Thank you.

>> Mayor Adler: Thank you very much. Allen Roddy and our last speaker would be Rudy Hinojosa.

>> To the people of Texas and all Americans in the world, good day. I'm Allen Roddy, here to give a short Texas history lesson called be like Austin, be like Travis. I'm an army veteran from a military family. I believe in our local control and our local votes. One of the problems growing up in Austin and Travis county is you learn the biographies of Stephen F Austin and colonel William Travis. Imagine if Stephen F Austin was standing in this room and colonel Travis, Sam Houston, deaf Crockett and Jim bowie. Can you



imagine Greg Guernsey telling them that their votes don't count. If they are going to act like general Santa Ana then Texans will treat them like governor Santa Ana Abbott. Do they think that Texans will sit down, shut up and pay our taxes. It is time for Texans to stand up, be like Austin, be like Travis and stand up for the politicians. If they want our local control then come and take it. What part of Texas history don't they understand? And what about no taxation without representation? Donald Trump publicly said he gave \$35,000 to drop the Trump University fraud case.

[12:35:53 PM]

Abbott is a bribe taking crook. Does anybody in Texas believe that Uber didn't pass out millions of dollars in bribes to our crooked state officials. If we have an honest state attorney general than Abbott would be in jail. Mayor Adler and members of the Austin city council, in order to restore democracy in Texas I ask two things. First I ask you to reach out to all mayors, city council and county commissioners throughout Texas and call for a conventional convention before the end of the year. Put it on the agenda, put it in the budget. What do you think governor Santa Ana Abbott will do when the cities and counties in Texas rebuke his corrupt government? Second, under your oath of office and Texas institution, you're obligated not to send our tax money to a corrupt state government. Does any true Texan send their money to a corrupt government that took their votes away? This is our Angelina everily moment in history. It's time for awful us to go to congress avenue and load our cannons in defense of our determine are accuracy. Our democracy and our history are in your hands. Please stand up, be like Austin, be like Travis. Victory or death.

>> Mayor Adler:

[Buzzer sounds] I'm serious, call for a constitutional convention. Any questions, any comments?

>> Mayor Adler: Thank you very much. Rudy Hinojosa. Is Mr. Hinojosa here?

[12:37:55 PM]

Okay. Those are all the items that we have. There was -- those are all the items that we have. It is 20 until 1:00. Do we want to come back at 1:30, 1:45? 1:30 seems to be what folks want. Let's come back at 1:30. It is 12:38. We'll be in recess until 1:30.

[Lunch recess].

[1:39:35 PM]

>> Mayor Adler: So, council, you think we have a quorum present. It is 1:39. Still is August 27th, 2017. We're still in the city council chambers. First thing we're going to call up is the J I know in an y plan. Councilmember policy, do you have something to lay out?

>> Pool: I do. Thanks. I have a motion. It's lying on the dais. It was passed out this morning. I'll make a motion, then I'd like to hear any other amendments that may be out there, and I can walk the dies through the additional amendments that are on my motion, and also make a couple of comments. So

my motion is, I move to accept the working group's recommendations for the generation and climate plan with nine amendments that are laid out before you, and I'll wait for a second.

>> Mayor Adler: Okay. Councilmember kitchen seconds that.

>> Pool: On let me briefly lay out the amendments. They move us closer, ever closer to our goals. The first one, to clarify the recommendations endorsed by the working group. The council directs the city manager to conduct the following and present the results to the electric utility, I guess, the resource management commission, and the electric utility Austin energy utility oversight committee, no later than September 30, 2019. And the first one, construct a model that achieves both 57.5% and an 80% renewable energy goal by 2027, including a consideration of the costs benefits, risks, and potential rate impacts. The second, construct a model that achieved a 100% carbon free energy goal by 2030, including a consideration of the costs, benefits, risks, and potential rate impacts.

[1:41:37 PM]

3: Study and possibly pilot a utility managed rooftop solar program that requires no investment from customer participants. 4: Evaluate the working group's recommendation to achieve 1,000 megawatts of energy efficiency by 2027 upon completion of a measurement and verification consultant study, review of standards and technology, and an analysis of budget and progress to date. Reset the goal, if necessary, to reflect proportionate demand reduction savings, given any new methodology implemented. Austin energy will concurrently assess the potential to reach a higher goal of 1,100 megawatts of energy efficiency and demand response by 2027.

Number 5: Using the lessons learned following completion and implementation of the shines project, and if folks don't know what the shines acronym is, it stands for sustainable and holistic integration of energy storage and solar QV. The shines project, develop a roadmap for implementation of electrical storage to achieve the existing goal of 10 megawatts of electrical storage by 2025. 6: Study the costs, benefits, risks, and potential rate impacts of achieving a more aggressive electric storage goal, such as 50 megawatts of electrical storage by 2027, and of achieving 100 megawatts of electrical storage by 2027. 7: Study the technical and economic feasibility of emerging technologies, including dispatchable renewable energy technologies, battery storage, compressed air, energy storage, aggregated demand response, and vehicle degrid.

[1:43:41 PM]

8 with: Assess the costs and benefits of raising the solar goals from 200 megawatts by 2025 to 250 megawatts by 2025, and to 300 megawatts by 2027, following the first year of implementation of the commercial value solar.

And 9: Assess the feasibility of achieving 100% renewable energy by 2035. So those are the changes and the strengthening pieces that we offer to the very excellent report. The amendments are truly a multipronged, collaborative effort from the community, the stakeholders on the dais, and with our staff. I want to thank the mayor and his staff for the work they put into these additions. Several of them at the

eleventh -- literally, the eleventh hour. I want to thank councilmember alter and her staff for helping on the wording on some of these amendments so that they were clearly communicated. Our Austin energy staff worked diligently through the night, and this was not the only topic they were working on for this meeting. And I really appreciate, especially our Austin energy staff and the legal staff that supported us. I want to thank Jackie Sargent's roll up the sleeves effort in this last-minute endeavor. I want to thank Cyrus reed, Smitty Smith. I realize these amendments don't give us everything we wanted, and I say "We," because, frankly, this was not the place that I started from. But I've accepted the realities of where we are now as things stand now, that this is the best way to move us forward. These amendments reflect the spirit of the collaboration of the work group and acknowledges the ambitions that I share with the community advocates for robust action.

[1:45:49 PM]

It's been a long process. The work group under Karen Hadden's leadership invested so much heart and sole in laying out our goals for our future, for future generations, and for our planet. Looking back on last week's testimony, we are so fortunate that we're a community that debates stretch goals. We challenge ourselves to do more and to do it more quickly. Not one person spoke against the legitimacy of renewable energy and reducing carbon emissions, and this is a huge win for our community.

[Applause]

>> Pool: I want to recognize the strong advocacy our community brought last Thursday, close to 300 people signed up to speak or register their opinions on moving forward the generation plan, and in my e-mail box, I have close to 400 e-mails, just in the last two to three weeks. And then I want to acknowledge especially kaiba white for organizing and mobilizing such a massive group of people to turn out last week to ask us to do more than what's in the proposed gen plan. So I ask you, let's continue that momentum and build on those aspirations. I'm putting my faith in these amendments to at least do a little bit more and to move us a little bit faster. Thank you.

>> Mayor Adler: Okay. Ms. Kitchen.

[Applause]

>> Kitchen: I want to thank councilmember pool and the mayor and everyone on the dais who's been working on this, and to say ditto. It was very well said, councilmember pool. Very well said. And I want to thank everyone in the community. I think -- I think we all heard the challenge to us and our entire community to do more, to do absolutely every last thing that we can to save our planet, because that is necessary for us and all of us who live here.

[1:48:01 PM]

So I want to thank our working group for the -- for the efforts that they undertook. It was not an easy task. And I want to thank everyone who came here to speak, including kaiba, as you did, and others in our community. We are lucky, very lucky, that we have such a strong and educated and smart group of advocates that's helped us be where we are today. So I have a motion that I'm -- I am focusing my

amendment on our city's goals related to electric, fleet electrification. The working group's recommendations did recognize and have goals, and the city has also taken a number of other actions recently related to fleet electrification, including our development of e v/av plan, electric vehicle, automated vehicle plan, which will be coming back to us in September. Our staff is working on that. So in recognition of the activities that we've already got underway, and the recommendations in the working group report, my amendment adds some additional level of detail. So I'm going to read that amendment. It amends the transportation paragraph of the working group recommendations, and so I'll -- and it adds direction. So I'm going to read to you the added direction.

Number one: Support the deployment of ev charging infrastructure to enable the city fleet services electrification plan, which includes at least 330 new charging stations by 2020 and deployment of at least eight to ten and you know energy owned and operated DC fast stations by fiscal year 2018.

Number 2: Support the city fleet services electrification plan by transitioning 65 Austin energy retired internal combustion engine vehicles to new electric vehicles by 2020.

[1:50:06 PM]

Number 3: Complete the Austin shines project by fiscal year '19 that includes assessing the value and business case for integrating stationary distributed energy storage, leverage findings to determine applicability to ev batteries. Before the 2019 generation plan update, Austin energy should do an analysis of potential value streams for energy storage that may include demand charge reduction, peak load reduction, energy arbitrage, price responsive opportunities, voltage support, and congestion management, and evaluate open standards and business cases that could be applied to a future state of feasible and affordable ev distributed storage. Additionally, to identify potential load and storage resulting from aggressive ev development.

Number 4: Support growth of public and private charging station deployments by offering rebates, operational support, outreach, and special public charging rates to include support for low income populations.

Number 5: Leverage the residential ev time of use rate pilot, ev 360, launched in 2017, to develop lessons learned and best practices in fiscal '18 for consideration in a wider roll -out of this service. So this is the amendment that I am offering, mayor.

[Applause]

>> Mayor Adler: Any objection to the -- sorry -- any objection to the kitchen amendment being added?

>> No.

>> Mayor Adler: Hearing none, it's added. Okay. Councilmember Garza?

>> Garza: I passed out a yellow sheet that will amend page 7, the third bullet. The 15% will change to 20% of total dsm budget to existing and potential programs for low income and hard to read markets.

[1:52:09 PM]

I'm not going to read it all. Then the additional red line -- I'm sorry, I didn't hand one to the -- down there. But the additional -- mine will say a minimum of 5% of the 20% will be dedicated to the low income weatherization program per year, if I can get a second.

>> Pool: Mayor, I view that as a friendly amendment.

>> Mayor Adler: Any objections to that being included? Hearing none, that amendment is included as well.

>> Casar: Mayor?

>> Mayor Adler: Yes.

>> Casar: I'd like to ask -- that's good. That's a good amendment. I would like to ask the Austin energy general manager a quick question about this, if she is available. There you are. So my understanding is that Austin energy is supportive and can -- and thinks that this could -- this could work, which I really appreciate. I had a question about -- I understand that this would -- sets a minimum of 5% of the 20%, which would be, you know, one-fourth of that. Would it -- would there be any issue with us including language saying that our aspiration is for it to be -- to try to get to the majority or to half? Would that substantively change y'all's work? If the minimum was 5%?

>> Austin energy general manager, Jackie Sargent, mayor, mayor pro tem, councilmember Casar, I'm not sure how that would actually affect our ability to deliver. I think that what we want to do by having this and agreeing to this as a minimum is that we will achieve that, but we will work to strive for more. And I have staff here that could talk more specifically to the impacts of trying to go above and beyond this, if you would like them to come forward.

>> Casar: Thank you, Ms. Sergeant. That had be great.

[1:54:22 PM]

>> Denise king, director of energy efficiency at Austin e nergy. Currently the mix is such that it would be with current staffing, as well as resources, and would be feasible because we have changed a lot of our systems and streamlined and automated. However, to stretch that to more than half would be considerable. We have increased it to include renters, as well as multifamily.

>> Casar: Yes. And so what I wanted to see what the impact would be would not be to set the minimum at half, but instead to set a goal or aspiration of trying to get to half. Would that i mpact current operations for that -- for that aspiration to be included?

>> It would defer from other programs and efforts that we have underway now.

>> Casar: And which ones would those be?

>> Probably the small business, as well as home performance with energy star, which helps on the residential side, as well as we probably would need additional inspectors.

>> Casar: And even though -- would it take away from those, even though we've changed in this plan to go from 15% to -- to 20%?

>> Right. So they stretched it even further. Going from 15 to 20, pushing it to maybe a 7% on the low income with multifamily and other hard-to-reach elements, such as do it yourself kits and things like that, school-based education in some of the lower areas, that might be feasible.

>> Casar: Okay. You know, I think I'll leave this alone for now. I appreciate you explaining that, and I think councilmember Garza's amendment does bring something to the table. So I'm done with my questions. I just did want to have some comments for my colleagues on this. I really appreciate, councilmember pool, your portion and your leadership and your work on this, and everyone in the community, and councilmember Garza, I appreciate you bringing this amendment forward. I think oftentimes climate change denialists and fossil fuel lobby folks try to talk about -- try to disparage our work towards more renewable energy and energy efficiency as hurting low income people, and that couldn't be further from the truth.

[1:56:35 PM]

It tends to be low income folks that will suffer the most under the impacts of climate change, but it is important for us to recognize how sometimes some of our programs do not sufficiently target and support low income folks in our community. So I just want to -- I was considering bringing some amendments for the gen plan but I think they may be most appropriate for the budget because everyone in the city pays for energy efficiency programs and for our solar energy programs, and sometimes actually those fees can even be regressive to our most low income customers. So that's why it's really important for us to make sure those programs reach those customers. So I have supported multiple Austin energy budgets in my time on the dais, but it becomes difficult to continue supporting them when some things like the solar programs relatively are not sufficiently utilized in moderate cost apartments by low income and moderate income homeowners and renters. I think there's some powerful ways we can get Austin energy to do that. So during the budget process, I just wanted to let the community know and give my council colleagues the heads up that I'll be willing to work with community members and with you all to find ways to push to make sure if everybody is going to be funding these budgets for energy efficiency and solar programs, that we change -- start sending some directions for how we change things so everyone can have equal access to those sorts of programs. So thank y'all.

>> Mr. Mayor?

>> Pool: Councilmember Casar, I'll be happy to work with you on that, as I know other members will. This is a point of information. I have posted on the concept menu an item for increased funding for weatherization. What I was posting came from a recommendation from the senior commission, for low income seniors for weatherization, so I'm happy to expand -- I mean, it's not focused just for seniors.

[1:58:36 PM]

We can take that concept menu item and expand on it if you'd like or bring another one.

>> Casar: Thank you for reminding us of that. I failed to recognize the resolution to start figuring out what the issues are in the program to make sure there's that level of reach, and I think there's times in this budget that we can start taking action on some of those

>> Thank you. I do have some general remarks, but I wanted to share the motion that I'm going to make and also ask a question of manager Sargent before I do that. So I would like to move to amend exhibit a under the energy efficiency and demand section to include as a fourth bullet, commit to accelerate plug in electrical vehicle demand response capabilities, including modifying residential charging station, to encourage the equipment to enable pv similar to Austin energy's existing power Harns, hvac, Dr thermostat program. Essentially there are opportunities through our rebate program to allow for demand management of our electric vehicles. We already have these rebates in place and this is asking them to make sure that if we're subsidizing this that we're subsidizing to the maximum that would allow that kind of demand management to take place. And then before I make some general remarks I would invite a manager Sargent to clarify something for us, please? So it is my understanding if we adopt exhibit a as noted in the draft resolution that is before us, how does Austin energy plan to take the next step of incorporating what we pass today into the existing plan?

>> Thank you, council member. I brought with me copies of the Austin energy resource generation and climate protection plan to 2025, an update of the 2020 plan.

[2:00:45 PM]

So we've been doing resource planning for some time and this is yet just another properties where we update this plan. So what we would expect to do is take the amendments, the information in the resolution, and the recommendations within exhibit a and incorporate them into the next update of this generation plan update to 2027. And incorporate them. I have copies if people would like them.

>> Alter: Just to clarify, what this means is what would appear on Austin energy's website would be packaging all this up into the existing plan moving forward. And so it will not include the individual remarks from the resource task force, it will include what we're adopting in terms of the general recommendations.

>> That's correct. So it would be directing the direction for Austin energy to carry out and move forward.

>> Alter: Thank you. I just wanted to make sure since all of that was in our backup that we had clarity about how this works. Moving forward. So thank you.

>> Pool: Mayor, I would view that as a friendly amendment.

>> Mayor Adler: Okay. Discussion on the alter amendment? Any objection to it.

>> Alter: My objection is with respect to the pv and that was just a clarification of process. With the manager of Austin energy. So I wanted to say a few remarks as well. Austin is fortunate to own and operate its own municipal energy utility and to have a history of leading with respect to renewable energy. We're also fortunate to have a history of citizens who engage in our municipal processes and try to work together with the city to address our challenges. I'm proud of the process that led to this proposed -- these proposed changes of the generation resource plan. I want to thank the task force for all of their months of work in Austin energy. I think we should recognize that the process that happened this time around was above and beyond even what Austin has done in the past and we should be very proud of their work and the way that things were approached.

[2:02:52 PM]

I also want to thank the hundreds of people who came out over last week and who have been writing in to us to encourage us to further our steps and our goals towards affordability and environmentally sound practices. I also appreciate my colleagues and the community who worked with us since last week to put forward an approach that I think gets us closer to our environmental goals while respecting affordability. As a councilmember, a trained economist, environmentalist and most importantly as a mom, I believe at this juncture that adjusting the goals from 65% renewable energy at the end of 2027 is not the way to go. I think we need to have our goal of 65% renewable energy and net zero carbon emissions by 2050 rather than explicitly adopting a larger, but less feasible update to the generation plant. I believe this puts us in a position to achieve our affordability and our environmental goals. It may have us losing our authority over your municipal utility. That would leave us without any control of our allocations and a much worse position from which to mitigate climate change. I also think that we need to recognize that leadership is not only about establishing ambitious goals, it's also about thoughtful implementation and recognitions of the risks that we and cannot control. Our way forward allows us to address the uncertainties of the competitive market, the changes in technology and the complexity surrounding fayette and decker. We should be rightly proud of the choices that we are going to make today and that we've made in the past, but that does not mean that we're done, it means we still have to work forward and I'm convinced if we work together in the spirit that we have through in process and in the past that we will accomplish our goals and we'll be able to do it together. Thank you.

[2:04:57 PM]

>> Mayor Adler: Okay. So your amendment 61 was more just a clarification? Your amendment?

>> Alter: So my amendment goes under the demand response section of the generation resource plan, yes.

>> Mayor Adler: So not an amendment to this --

>> Alter: It's an amendment to exhibit a.

>> Mayor Adler: Right. Is there objection to making this amendment to exhibit a? Hearing none, this amendment is incorporated. Okay. Ms. Houston?



>> Houston: Thank you. And I want to thank all my colleagues for the work that they've been doing. This is a lot of information to receive on the day that we're going to vote. And then ask me to make an informed decision about how that vote will occur. I do have a question for Austin energy because I've heard them talk about kind of reference affordability, but I'm not hearing about how you will decide whether or not rate payers will be impacted by any of these amendments that we passed today.

>> Yes, ma'am. Elena Ball, chief operating officer for Austin energy. There really are two levels of evaluation. First from what I've heard this afternoon many of the amendments are challenging staff to further study and develop potential plans for implementation of higher goals. That in itself will not impact rates, but will allow us to challenge ourselves, to see if higher goals are feasible within our affordability goals. Specific to implementation, any of the potential actions that we take relative to additionalty in our solar or wind programs, for example, will come before council with a cost and rate impact as part of the rca. Does that answer your question?

>> Houston: It does, thank you.

>> Yes, ma'am.

>> Mayor Adler: From the dais? Mayor pro tem?

[2:06:57 PM]

>> Tovo: Mayor, I just distributed one last amendment. And I want to just explain -- first I want to really thank councilmember pool and the mayor for their leadership and all of the -- as my colleagues have done, all of those of you who have come down to talk to us about this important issue and to provide us with information and research and all the really the tremendous energy and expertise reflected in this room is very, very heartening. It gives me a lot of hope for our -- not just our city, but our planet, so thanks and really appreciate all the work. Councilmember pool and mature Adler, I think you've done a really great job working with the stakeholders to work and really move our goals further. And I think that embedded in all of these -- in all of this new language that is in the amendment councilmember pool distributed is that we intend to continue to make as much progress as possible and to work toward our aspirational goals. But I thought it might be helpful to again embed that aspirational goal into this document just to remind everyone that we are going to do, while we're doing these models, while we're studying and possibly piloting rooftop solar and the other things that we are doing that in the context of that aspirational goal. And so that is what I've got in front of you. Be it further resolved, the Austin city council affirms its continued interest in achieving the city's climate protection goal of reducing emissions as quickly as possible and generating or contracting for sufficient renewable energy generation to meet at least 75% of customer demand by 2027. And 100% by 2030. Again, I think that is embedded in doing the modeling, but so there's no ambiguity, we are still marching toward that goal, we hope to meet it and I think this specific modeling and other provisions that you've outlined will help us achieve that.

[2:09:03 PM]

So that's my amendment. I hope it's friendly. Again, it's really a framework for those additional pieces.

[Applause].

>> Pool: And I see that as friendly. Did our law department have something?

>> Once we have all the amendments out there, I think -- that's all of them?

>> Andy primer with the law department. I just wanted to get some drafting guidance. The way I'm seeing this we have two type of amendments. We have some directives that are sort of outside of the report and we have some amendments to the report and so the way I would like to approach drafting this is to consolidate this into two be it further resolved sections, one would incorporate the directive the to staff and the other one would basically state that the council is adopting the report subject to the following amendments and sort of organize it that way. So if I could just have permission to sort of combine the amendments and organize it in that manner I think that would be the best way to go.

>> Mayor Adler: I think so. You have an amendment from councilmember pool which does that. The first resolved clause is to adopt the generation plan. The second one is to adopt -- what we talked about earlier where we're asking staff to continue to challenge itself and to develop plans to be able to accomplish things that go beyond what is in the generation plan and goals that were adopted. My understanding is that everything that has happened on this dais is in the nature of the second, which is asking the council to -- asking Austin energy to challenge itself and to try to develop plans, but they do not go to amend the base generation plan. No? Then let's go through -- let's do that. But I think we need to really clearly differentiate--

>> I think if I understood the Garza and kitchen amendments, they seem to be adding bullet points to the plan itself.

[2:11:08 PM]

And then I think the -- the pool and tovo amendments appear to be more geared toward giving additional directives or guidance outside of that.

>> Mayor Adler: That's my understanding as well. Those things don't change the goals of the plan, but set those aspirational challenges.

>> Yes.

>> Mayor Adler: Yes, councilmember alter?

>> Alter: I wanted to add that as we were framing the resolution underlining Howie approached this was recognition that we wanted to have more clarity than what was in the generation plan as to next steps both for ourselves and to the community. So that we have clear next steps on how we are going to keep the momentum moving forward. So as devised, the resolution has those steps with clarity on when you need to come back and whatnot, but that is not necessarily direction right into the report. And as I understood from Ms. Sargent and our conversations about how you would be moving forward, that you

would be taking both of those and be putting them into the version of the generation plan as appropriate, but not all of the steps as stated in the resolution would appear in the generation plan, but would be directive in terms of what you needed to come back.

>> Right.

>> Alter: Thank you.

>> Mayor Adler: Ms. Kitchen?

>> Kitchen: I think I understood you to say what I was intending, but I just wanted to make sure. So the amendment that I brought forward is an actual amendment to the language of the plan. So it would go in the plan.

>> Mayor Adler: Both yours and alters are that way. And what about councilmember Garza's? That was the same way. But pool's and tovo's were the more aspiration. Thank you. I just want to say that how we do our climate change response in this city is something that I'm incredibly proud of what this city does.

[2:13:15 PM]

And I have the opportunity to represent the city at international efforts respect or responding climate change together with some people who are here in the chamber today. And as we go into these meetings, Austin as a city is something that is known around the world as a community that is pushing the envelope. And being part of what enables the entire world to move forward on these aspects. And I'm just real proud of that. And that happens to a large degree here in Austin because there's so many advocates in the community that push Austin energy and push staff. And I think that the generation plan that was proposed does that again. And we've been here recently talking about fine tuning that and trying to make sure that we continue to extend that reach as much as we could and I think that's good. But I just want to pause for a second to talk about what it is that is in the generation plan that goes beyond -- that is not just aspirational. That is in fact the very goals that we have set and we expect Austin energy to implement for us or come back to us if they can't. It's that level. We expect this to happen in this city. And it involves doubling -- when you look at other cities that we visit with and are around us, we're talking about renewable energy resources and we talk about doubling them in a 10-year period of time. So this new plan goes from 55% by 2025 to 65% in 2027. And that's a huge advance. It's going to require an enormous effort by Austin energy to reach that goal in 10 years.

[2:15:21 PM]

Not to mention the great deal of hard work to make the resources actually happen. You know, we have to reach this goal without breaking the council's commitment to affordability, and I expect Austin energy to be able to reach that goal in that manner. And I think that by coming through with that recommendation, that becomes an expectation we have for Austin energy to meet that goal consistent with that. Moving out that goal by two years, but increasing it to 65% assumes a much faster conversion of assets. And it's going to stretch the utility's resources in order to make that happen. And that has us nearly doubling our current renewables in a 10-year period of time. While there is no feasible plan yet

that would get us to 90 percent or 100% without breaking the bank, we want you to develop plans that will in fact do that as the economies change and as the markets change because that's definitely where we want to go. This plan talks about closing Fayette beginning in 2022. That's our worst carbon emitting resource.

[Applause]. And that's huge for reducing carbon. It was a commitment in a prior plan, but we never really had a real action plan to get there until now. And I'm real proud of that. That is going to call for us to close a plant that's not yet paid for and even contributes marginally to the revenue in this system, so that's a big deal for this city to be able to move forward with that in a concrete way that we haven't before and I'm proud of that. I'm proud of what this agreement has with respect to storage, which has always been the real missing link for increasing renewables.

[2:17:21 PM]

You know, the market hasn't been able to provide a global answer yet to storage. So it takes entities, cities like Austin to really lead the parade on getting storage that will enable all renewable energy resources. So we're committing as a city to lead the way to help invent the solutions to this problem and we have the programs in the city underway to do that. And there's nobody else that is doing that at the municipal level the way that this city is. And I'm incredibly proud of that. And I recognize that is going to require a lot of new and creative work if we're going to be able to pull that off, but that again is the expectation of this city and is now real clearly reinforced as part of our generation plan. I'm real excited about what they have in this plan as amended further by the electric vehicles and transportation elements. The holy grail for electric utilities is have a big nighttime consumer of electricity. And this is where perhaps the lowest hanging fruit is that we can achieve who will have the greatest impact of our contribution for fighting climate change and coordinating a generation storage of transportation seems to be the intersection that will have the greatest return. Nobody is doing that at the municipal level the way that we are in a city our size and we're a chance to lead the world on this. And I just conclude by saying that that's really important. When we were in Paris and international entities were signing the climate change agreements, cities were there. It was the largest gathering of mayors in the history of world in one place at one time.

[2:19:25 PM]

And then cities through the mayor signed a compact separate and apart from the national treaty. And when we look at what's happening in this country at the national level where our president seeks to pull us out of that treaty, it becomes ever so much more important for cities to step up and to still meet that goal. Because even the international agreements contemplated that cities and local governments would be delivering half of that standard alone. So I'm just really proud of this document I am really thankful and proud of the community. I'm sorry I wasn't with you last week. We have a lot to celebrate here and with this we will remain the international beacon that this city is.

[Applause]. Ms. Garza?

>> Garza: My amendment I was working with different stakeholders and I just want to make sure I did what I thought I did. So if Mr. Reid, if you could come up here? And my question for Austin energy is the way the amendment reads now, five percent of 20. Does that -- does that increase the weatherization now or does it --

>> Yes, ma'am. It goes from 15% to 20% and I believe right now the budget is about 1.8 million so it will increase that 1.8 million at a minimum by five percent, an additional five percent. So yes, ma'am, it's an increase of five percent of the existing weatherization program.

>> Garza: Could you explain what your concerns were?

>> What my concern was did you mean five percent of the 20% or did you mean five% of the total dsm budget, not including the solar incentives.

[2:21:26 PM]

>> Garza: What was your suggestion?

>> And I'm subject to being -- since this is all on the -- I didn't see the language until right now. I believe that currently in the current 2018 budget what's being proposed is somewhere around two million for weatherization and that's about five percent of the total dsm budget without taking the solar incentives out. So if I'm right, and I could be wrong, subject to checking the math, I think if what you're intending to do is make sure we spend approximately the same amount that we spend now into the future, it really should say five percent of the total dsm budget without the solar incentives. So it shouldn't be five percent of 20%. It should be five percent of the total budget should go to low income weatherization programs if that's what your intent is, is to maintain funding into the future.

>> Garza: And that was --

>> But I could be wrong. Am I right or am I wrong?

>> Yes. And once again this is Denise King, director of energy efficiency services at Austin energy. The 20% is a 20% of hard to reach and low income of our total dsm budget without solar. And so as a part of that then obviously the five percent is five percent of that same budget, dsm budget without solar.

>> Garza: It's the same thing.

>> It's the same thing, so you're good.

>> Garza: Thank you. Sorry for needing that clarification.

>> Any other questions? Thank you.

>> Mayor Adler: Additional clarification, I want to make sure I understand. And I don't know where legal went as it goes back to the question that legal raised. Thank you. The resolution that's in front of us now has us first adopting the generation report.

[2:23:29 PM]

And then there were some additional changes that were made to the generation report. And I think that these are all things that were okay by the stakeholders that were associated with the task force. That would be the kitchen amendment, and the alter amendment and the Garza amendment with the clarification we just had. Those are all changes. The second part of councilmember pool's actually clarify the recommendations that were made by the task force. And those are clarifications to those recommendations. That's my understanding. And the third one is the amendment from councilmember tovo which goes beyond what the task force had, and that is not to change what the task force did and it's not the clarification of what the task force did, it is an additional element that says we want to challenge Austin energy in order to be able to reach those things. So three classes.

>> Three sections to the resolution. The first would be the resolution -- the plan is adopting subject to the following amendments and then we would bullet point those out and then we would probably have another be it further resolved which I think would essentially be -- would essentially be the pool -- the pool motion that's essentially already laid out in that format and then probably another be it further resolved that would essentially be the tovo amendment I think is how it would work.

>> Mayor Adler: And I just want to be clear. Is everyone okay with that that was participating in the task force? That's what I want to check. Councilmember alter?

>> Alter: I'm a little bit confused over the role of that be it further resolved because part of doing it this way was to have the goal be at 65% to maintain competitiveness.

[2:25:37 PM]

And I just want to make sure that we're not changing in the general plan update, the goal, first of all.

>> Mayor Adler: I think that's clear. The task force plan, councilmember pool, am I correct, the task force goal is the city's goal and it's at 65% to 2027.

>> Alter: Okay, but I'm not totally understanding --

>> Mayor Adler: Then the elements that go past that are asking Austin energy to challenge itself and present us plans or bass but they don't change the task force goal by 2027.

>> Alter: As I read the resolution that we prepared, there were multiple steps where we asked them to provide models of just this scenario, so I feel like that is already captured in the constructing the model section. Of the resolution. And I feel like it might be adding confusion to what Austin energy can work with moving forward.

>> Mayor Adler: I think it's intended not to and that's what we're trying to construct here. And we wanted to add that clarification. So to be really clear and to not let any ambiguities develop with what's happening to us on the dais, the state of this right now is to adopt the task force generation plan. We're not changing anything in that except for the amendments that came from kitchen and alter and Garza.

Beyond that the second paragraph were some specific requests for the staff to present to the council and to the council in the future, other things, other plans or other models, other models, to present other models that will that would have different end points than what is in the generation plan so that we can continue to push Austin energy. And these were specifics of that.

[2:27:38 PM]

But they do not change the generation plan.

>> Alter: I just feel like we already have that -- when we say construct a model that is achievable in the 75% and 80% renewable energy goal in 2027 including with the rate impact and number two is construct a model that achieves 100% carbon-free energy goal by 2030, that we are doing in the be it further resolved that we already have that we are doing that --

>> Mayor Adler: Already. You're talking about the total amendment. Now with the confusion that may be caused by that amendment moving forward, recognizing that they were operating in a competitive market, we don't want to be confusion out there. I

[lapse in audio]. I am a little worried about that amendment as introducing ambiguity or problems with the interpretation of what we're doing.

>> Mayor Adler: Okay. Kerry? So I guess mayor pro tem, do we need the additional amendment with numbers 1 and number 2 that seem to have the same numbers in them in the pool amendment?

>> Tovo: As I indicated when I distributed this, it is not intended to change the goals and I acknowledge that it is, I believe, the assumption that's embedded within these points is that we want to get to these. But right now it says construct a model. And just for clarity's sake I wanted to point out that it is our goal of actually moving forward with -- at some point if possible within the affordability goals and all the other framework to, for example, get to 100% carbon-free energy.

[2:29:39 PM]

So the very specific language that councilmember pool and mature Adler and maybe you as well helped to construct I am beds these values in it, but I didn't want it to get lost that we are trying to push Austin energy and our community forward as quickly as possible. So I'm happy to -- if it's the will of the council to not restate that and cause confusion or if you want to change the language, I just didn't want it to get -- for one thing I'm trying to work with some of the amendments that were presented to us by some people who wanted language that was more like this. So I was trying to weave that into what is here? Again, I understand it was the intent to get all of that woven in here and I think it is. I just didn't want to lose sight of our aspirational goal.

>> Mayor Adler: Does your amendment work if we put a period after Austin energy generation and end the sentence there? Because it is our interest in getting as quickly as possible as far as we can.

>> Tovo: And in generating or contracting for sufficient renewable energy generation?

>> Mayor Adler: Generation, period, because I think the confusion comes in and that the word goals sometimes is in the generation plan because is the goal that we expect Austin energy to meet. And then the use of a goal here could create ambiguity as to what it is that we're charged with. But I agree with you that our overarching policy in this city is to go as far as we can as quickly as we can. So does your amendment work if we put a period, if it says city council affirms its continued interest in achieving the city's climate protection goal of reducing emissions as quickly as possible and a generator for sufficient renewable energy generation, period?

>> Tovo: I leave it to the will of the group if they feel like that clarifies is. I would probably end it as quickly as possible, because in generating, contracting sufficient renewable energy generation sort of all turns on what the -- how we agree or don't agree on sufficient.

[2:31:46 PM]

So I would agree with that then. I would make a period on reducing emissions as quickly as possible because that's our overarching statement. Are there any objections to that? Hearing none, we will do that. I think that answers that question. Thank you. It's been moved and seconded. We have changes. Is there any further discussion? Councilmember troxclair?

>> Troxclair: I want to thank councilmember pool and all of the stakeholders for their work in putting this together. I know there was a lot of time and energy that was spent on coming to this agreement, but I find myself yet again in a position of having to speak out for the people who might not have the ability to be represented here in the room today. Affordability is one of the biggest problems that is facing our city. We just had a conversation earlier today about gentrification and the cost of living pushing people out of our city. And I wish the goal of of this task force and the goal of this report was for us to be pushing the envelope and be the best in class when it comes to affordability. And I appreciate that we do have -- we have existing affordability goals and we have to be, you know, in the lower 50% of rates in Texas, but I know we could do so much better than that. And we could do it in the context of continuing to be environmental leaders as well. It doesn't have to be an either or situation. But when we put ourselves in the position of forcing the market before this kind of -- these kinds of goals are affordable and attainable, it puts the city and ultimately the ratepayers in a real difficult position. Already the city is stuck in long-term solar contracts that were entered into many years ago when the cost was a lot higher than other sources of energy.

[2:33:49 PM]

So ultimately it's my constituents and Austin energy ratepayers who are still stuck on the hook because we push the envelope too far when it came to trying to be a leader in environmental stewardship. So I'm going to continue to support Austin energy's environmental goals when it can work hand in hand with our -- with our affordability goals. But I just -- I just hope that as we move forward we can look at what can we do better to make sure that people are getting the best service at the best rates. And I don't think that this gets us any closer to that goal.



>> Mayor Adler: I should point out for me the task force that came to this conclusion unanimously I think deserves a lot of credit. There's a lot of hard bargaining and negotiating that were involved, but it certainly included participants like Pat Lynn and Dunkerley and

[Indiscernible] Who represent low income folks, who represent small businesses, that represent folks that are the low income community as well as C care, the large industrial groups. So to me this represents that meeting of the largest work group. We already had the public testimony. I don't know how to open it up just to one. Any further discussion? Let's take a vote in those in favor of this please raise your hands? Those opposed? Troxclair voting no? The others voting aye. This passes, thank you.

[Applause]. Mr. Casar, we have your item next?

[2:35:51 PM]

>> Casar: Mayor, before moving this, I would like to hear from the speakers.

>> Mayor Adler: Okay. This is the source of income item. It's item number 54. We have some speakers here to speak on this.

>> Troxclair: Mayor, I pulled the development services contract and I just had --

>> Mayor Adler: Item number 14?

>> Troxclair: I just had a few questions --

>> Mayor Adler: Do you want to ask that quickly. That was to be proposed. That was item number 14? We have speakers and we told them that would be the next thing we called. So let me call that. So it's item number 54. I think we have 16 speakers signed up to speak on this issue. David King.

>> Thank you, mayor, mayor pro tem, council members. I'm trying to hurry because I know you're trying to get through your agenda today. I'm just here to speak in favor of this. I think it's discriminatory that you're not going to allow people with section 8 vouchers to be able to rent in this city. I think that's discriminatory and we should fight against that. So I applaud the council's action in taking this forward.

[2:37:53 PM]

And I hope that we can get through this as quickly as possible. Thank you for doing this. And while I'm at it, I wonder if the city can create its own voucher program that -- so that we can set our own rules? I think that might be something to look at. I don't know if it's legal or not, but could we set our own voucher programs and we set the rules and say you cannot discriminate. You must accept them. Thank you for doing this and taking a leadership role in this issue. Thank you.

>> Mayor Adler:

[Indiscernible] And Jennifer McPhail will be up next.

>> Troxclair: Mayor, I'm sorry if I hadn't pulled before. I had pulled item 16, 17, 18 for a few clarification questions for staff, but if there's some staff around here that is waiting around all day just for that, I -- I will not pull the items and I can ask my questions in another way. So unless we have other speakers, I just hate for staff to be sitting here all day.

>> Mayor Adler: Is Stewart Hirsch here and Adam Cannon here? Do you want to speak on -- do you want to speak on those? Okay. Thank you. Go ahead.

>> My name is Adam with Adapt of Texas. First I applaud the city for doing the right thing and people with disabilities and low income people need this because this is -- it's not just a straight housing issue, it's a civil rights issue as well. And it's also an issue of

[inaudible]. So many times at the state legislature I hear that we don't want to control what the state does, we don't want federal oversight or the federal government to tell us what to do, but yet when certain people, certain entities [indiscernible] A source of income protection several years ago, so the first thing they did was go back to the state

[2:40:20 PM]

[inaudible]. So again I support us doing this and I thank you guys for the leadership.

>> Mayor Adler: Thank you. After Jennifer McPhail will be Albert Metz.

>> I'm Jennifer McPhail with Adapt of Texas and I too want to urge you to support this initiative. It's very important for low income citizens both non-disabled and disabled alike. The statistic is that 92% of eligible apartment complexes are turning people down who show up with vouchers. 92% of the time people are being told no. That's the reason for this initiative in the first place. That's the reason why this ordinance was passed. And by the way, that's right. The state of Texas says they're all about local control until it's something that they don't agree with and if you let them bully you, they won't just bully you about housing rights discrimination, they will do it with everything they can get away with. They've shown that over the years. So it's incredibly important that you take this stand and do so for low income people all over the city that couldn't be here today, but that are impacted by this issue. And it will be an issue for generations to come. This has to be taken care of. It will cost people their lives. It will cost people their freedom. We've known people in our own group that have been institutionalized because they couldn't find a place to live. So the time is now and we applaud you for making the effort and we hope that you will pass it today because we're relying on you to be a sensible form of government. Every once in a while you need honorable things to happen in government so that you can feel good and feel like you're a valued member of society.

[2:42:21 PM]

This is one of those moments. Thank you.

[Applause].

>> Mayor Adler: Thank you. Al alberet metz and then Kathie Cranston will be on deck.

>> I'm going to help interpret if you don't mind.

>> I want to reiterate some of what Jennifer and hy said. About three years ago I was trying to find a duplex that would take my voucher. Every place I went to said no or was not accessible. And I want to applaud you for this initiative. Thank you.

>> Mayor Adler: Thank you. Kathie Cranston?

>> She's not here today.

>> Mayor Adler: Thank you. What about Danny Saenz. John Woodley is on deck.

>> I'm Danny Saenz and I'm a section 8 voucher holder.

[2:44:23 PM]

And I have been since 1988. And my first apartment was here at south first and Barton springs behind the whataburger. And I didn't have any problems. I was on a waitlist. At that time it only took a few months for my name to come up. But the apartment complex wouldn't take it, so I had to move. I didn't have any problems there with the rent, I wasn't a lousy tenant. The only reason I had to move was because they didn't take section 8. And I was lucky enough to find a duplex that would take it and I lived there for 11 years. And then I moved again in 2000 and I've been there in the duplex in south Austin since then. And, you know, I've experienced it firsthand what Jennifer was talking about that we had one of our friends who was looking for an apartment. And there was a duplex right across the street from me, and I called. And it wasn't accessible, but that could have been we could have done something about it. We're not going to find -- so I called them up and they said no. So she wound up having to go to a nursing home. So like people have said, this is a civil rights issue. She's incarcerated right now because that's what it's like to be in a nursing home because they refused to take other voucher. Anyway, thank you.

>> Mayor Adler: Thank you very much.

[Applause]. John Woodley. Is Gus Pena here? Is ray Diaz here? Ray Diaz? Is Bob Thompson here? You will be on deck. Sir.

>> Hello. I'm John Woodley. I'm an advocate for disability access.

[2:46:23 PM]

And I'm aware of a number of people that are on section 8 vouchers or on veterans vouchers and they need those services, but they're being located in places that are inaccessible to public transportation, education, employment. And we need to get more places because six percent of places that accept vouchers is not providing a convenient location so that they can get to those facilities. And some people are in a dire need of being able to move and they can't do so. And it creates a high risk for homelessness

and a burden on other people when property management don't accept vouchers. So I support the city of Austin in suing the state to stop the housing discrimination and source of income discrimination. Thank you.

[Applause].

>> Mayor Adler: Thank you. Mr. Thompson? And then Paul adurro is on deck.

>> My name is Bob Thompson. And I have one slide that I'm passing around to put up. I'm here to testify in opposition to this resolution. And I happen to be an owner of smaller, older rental housing located in south Austin, an eight-plex and some duplexes. I'm in the sweet spot, you might say of affordable housing. I offer affordable housing to my residents and rent to families and children, take good care of the tenants.

[2:48:27 PM]

It's older class B property. And it's kept in better condition. We repair things immediately when they're broken and so forth. The reason I'm opposed is that the section 8 hud happen lease was designed as a voluntary program and it works as a voluntary program. It is true that the majority of property owners in Austin do not wish to participate in the program and their objections have to do with the difficulties in that hap lease. Nevertheless, I believe between 10 and 20% of owners do accept the section 8 vouchers on the basis of telephone surveys that were done back in the 2014-2015 time frame when this source of income first surfaced. But the point of this slide is simply to provide some numbers that were developed during the stakeholder process as to the size of the problem. Presumably the problem you're trying to address is the fact that there are some folks with housing choice vouchers that cannot find a place to live and the studies that were done in the stakeholder group including haca and so forth, are the -- the housing voucher choice in Austin is only 585, or that was the figure in 2015. And every month there's a turnover of about 300 and out of that 300 about 11% or 33 families are unsuccessful in finding another place to go. And the remainder are successful. Now, no one disagrees that those 33 families shouldn't be able to find a place to live, but there are 200,000 rental units in Austin.

[2:50:37 PM]

And the additional units, 33 a month or 400 in a year, only represent 0.2% of the housing supply.

[Buzzer sounds] And it's really not worth turning the rental system upside down for a problem at 0.2%. There's two ways to solve problems, amicably and agreeably like we did with the mayor's veteran housing issue that came, the apartment association worked amicably and we more or less solved that problem. Or there's the legendary approach, the hateful, hurtful approach which this is of presenting legal action -

>> Mayor Adler: Thank you. Sir, thank you.

[Applause]. Paul adurro and Julianna Gonzalez is next.

>> Thank you, mayor. Members of council, Paul kaduro with the Austin apartment association. We distributed some information earlier this week and just wanted to reiterate our points that we believe that changes to the housing choice voucher program will be most effective at the federal level and changing the federal, the mechanics of the program and how it's implemented by the feds. And we work -- the national association works everyday to make sure that that happens and we have some ideas on that and would love to work with you all on that in the future. We also believe that this is just a lawsuit between the city and the state and it doesn't raise any of the issues by the other speakers. It just allows the state to get out of your way, but after that ends in a couple of years, the lawsuits between the property owners and-- between the property owners and the city rei guess Nate. So then you have additional years of legal wrangling over the property rights issues.

[2:52:37 PM]

And the voluntary statute -- the voluntary nature of the housing choice voucher program. So it's just a legal morass that goes on, spends a lot of money and those funds can be absolutely used for housing programs now, today, next year. So we sort of wish that there was another way. And, you know, just two final points. Since senate bill 267 was passed, we believe that there would be -- should be some outreach and some education and some other avenues by which the city could take to sort of resolve any perceived problems that there are, but we haven't seen a whole lot of actions since that time. And maybe one final point. There was a journal article, a housing journal article written earlier this year that basically said even those cities that have source of income anti-discrimination ordinances, the disbursement of voucher holders is undetectable. And there's a lot of reasons why and they actually beg some more research, but I guess the point is it's not a magic bullet. The lawsuits will go on, and even when they're resolved there's O occasion that this would resolve any of the issues. I think it's sort of incumbent upon us to work together to resolve those issues that we see in front of us today and not the law -- the legal aspects that we -- that could go on for years. Appreciate outtime.

>> Mr. Kadaro, what I want to say is I'm going to vote for this and I'll explain why in a bit. But before I get there I want to acknowledge everything that the apartment association did with respect to the housing, the homeless veterans in this city. And you in particular in terms of the volunteer work that you did associated with that. I don't think that that effort would have been successful in the way that it was without the involvement of your organization or you.

[2:54:42 PM]

And I think that there were tools that were developed in that process that I think will continue on as we move to different cohorts in the homeless community and working with you and your association has been really valuable. On this particular issue I think you're right in suggesting that no one element is going to be the magic bullet. There are two reasons why I'm going to support this. Ultimately the first is that our council is telling us that under the federal law it's something that if we're going to participate in the program, one of the federal rules require us to do everything we can to make the success of acceptance of the vouchers and so long as we live in a city where some people aren't, there's something else we can do. The second I truly do believe in local control. And I think that is an issue with us and the

state and I think that just as the state protects its interest, I think at some level the city should. But I didn't want to let you come to the dais here along with Mr. Thompson, come to the podium here without me acknowledging and thanking you and your organization and for everything that you have been doing and are going to continue to do with respect to helping us resolve the homeless situation. This city is very appreciative of that.

>> You're welcome. There are a lot of elements of that program that are transferable to this issue and look forward to working with you on this. As one other final point, you know, on the issue of local control, we do issue that the council perhaps would take up the charge against linkage fees. Our association would prefer the linkage fees, but that's a whole other issue. But we wish it was not SOI and linkage fees, but that's just our opinion.

[2:56:48 PM]

>> Mayor Adler: Once we start sliding down the slippery slope when the legislature starts taking away community choice, you never know where it will end.

>> Alter: Sir, I'll be happy to talk about taking up that one. Thank you.

[Applause].

>> Mayor Adler: Councilmember troxclair?

>> Garza: Just one question. I know when we discussed this issue in the past, what is -- for a property owner what is the difficulty in accepting the section 8 vouchers? I mean -- because I know that there are plenty of landlords who want to do the right thing, but help me understand from their perspective what is different about accepting a section 8 voucher?

>> Well, we can talk more substantively in the future, but the quick answer is it is a three-way lease agreement between the property owner, the tenant, the housing authority. It's problematic in that regard. There's a lot of links or aspects to that lease that are not -- property owners find uncomfortable. There's repetitive and redundant inspection programs that override. There's the fact that this is not a fully funded program at the federal level so these vouchers could go away at any time. There's a lot of reluctance by property owners with -- that we could enumerate those more clearly to you in a written communication.

>> Troxclair: Thanks.

>> Mayor Adler: Julianna Gonzalez and then

[indiscernible] Phoenix.

>> I'm Julianna Gonzalez, the executive director of Austin tenants' council. Nikki is also from Austin tenants' council. She had to leave so she will be forfeiting her time, but she left me with some thoughts that I'll include in my time.

[2:58:50 PM]

I'm here to express our support for the council resolution to file suit against the state regarding the city's source of income protection ordinance and the state's overruling legislation. This is my happy face.

[Laughter] Thank you so much for taking this on. We're really supportive of this decision. Having one's name come up on the list for a housing choice voucher after waiting for years is like winning the lottery for families in our community. It finally opens up doors that have been closed for a long time, doors to save, affordable, decent housing. And it lifts a burden for families and individuals that are working hard, but earning less and struggling to make ends meet. That's what a voucher is supposed to do. In Austin that's not what's happening. In November of 2012 the Austin tenants council released an audit report on the voucher report called voucher holders need not apply. 91% of landlords denied applications to applicants because -- increased since 2012 significantly based on reports we're hearing from tenants. Voucher holders are being turned away at an alarming rate which is causing them to take much longer to find housing, forcing them into substandard housing, forcing them into low opportunity areas, pushing them to the outskirts of Austin and in some cases putting their status as voucher holders at risk because of the delay. We know that we have a shortage of affordable housing units in Austin. We're suffocating under that shortage. We know that we have a segregation problem in housing in Austin. The source of income protections implemented by the city attempted to eliminate one of the largest barriers to accessing affordable housing, to making sure housing is integrated and to making sure that the promise of a housing choice voucher is a real choice for the people who live here.

[3:01:07 PM]

We believe that safe, fair, affordable housing is a human right and a civil right in our country. When the city included source of income as a protected class in our city fair housing ordinance we feel like the city was on the right track to providing more equity here. And we're really proud to support the council in its attempt to protect our most vulnerable citizens and keep Austin from becoming less affordable and thank you so much for considering this.

>> Mayor Adler: Thank you.

[Buzzer sounding] Brian mcgiveren. The last speaker would be John heneburger.

>> Goo -- good afternoon, council. My name is Brian mcgiveren. Back in 2014 I was one of the people who came to this chamber to advocate for this underlying policy. Now I'm here like some of the other people, Jennifer. And when it passed for me that was a spark of realization about the good, important and meaningful work that could be done at this level of government. I don't know if I was naive before, but that was when it really hit me and informed life choices I made after that. Then, of course, about ten months after it passed the state came in and took it away from us. Just took it away. I think it's long past time to take it back. Since this is a smart policy and since it's a good policy, I am confident that this resolution will pass council without serious opposition. And so it's safe for me to be the first one to say good job. And you're part of the reason I'm proud to live in Austin. Thank you.

>> Mayor Adler: Thank you.

[3:03:11 PM]

Mr. Heneburger, last speaker.

>> Mayor and councilmembers, my name is John heneburger. I'm the co-director of the nonprofit Texas low-income housing information service. I'm here to thank the council for its previous vote on this issue and to remind you that Texas is now the first state in the nation to legalize and mandate discrimination against a class of persons protected under the civil rights act of 1968. The legislation which was passed at the be left of the apartment association by the Texas legislature is an unprecedented assault on civil rights and the fair housing act. Texas is the only state which outlaws protection for people based on race, color, national origin, parental status and disability. It is vital that the city seek to overturn this unlawful act of usurpation of this act. This is an issue that affects people with disabilities, it affects people with children, on the basis of religion, it affects people on the basis of race, color and national origin. This is a segregated city. I served on this city's task force on institutional racism. I was the first director of the city's human relations commission study on housing segregation and discrimination

[inaudible]. It is -- this is a cancer on this city that we must take a stand against. And to allow the legislature to legalize segregation on the back of this city's good will and good effort to outlaw discrimination is -- is a surgical thing which you must do. Texas needs to join other states like Utah and Oklahoma and North Carolina and Delaware and a host of other states and dozens and dozens of cities in this country that provide this protection.

[3:05:23 PM]

This city [lapse in audio] Is the expansion of opportunity of people with section 8 vouchers to be able to achieve the ultimate meaning of that voucher. We call it a section 8 housing choice voucher, but today under the restrictions of the state of Texas there is no choice with that voucher. The tenants council study has shown that very clearly. I ask you to stand up for the civil rights act. I ask you to stand up for citizens in all of these protected classes and let's do the right thing. Thank you very much.

[Buzzer sounding]

>> Mayor Adler: Thank you.

[Applause] Those are all the speakers. We're back up to the dais. Councilmember Casar.

>> Casar: I would like to move passage.

>> Mayor Adler: Councilmember Casar has moved passage of item 54. Is there a second? Ms. Garza seconds. Mr. Casar.

>> Casar: I believe that everyone deserves the freedom to be able to search for housing without discrimination and we know that here in Austin we have a long way to go to work towards that goal that I know we share. We've all heard about and have experienced the issues we face in the city and on this



issue we know that the elderly, working people, people with disabilities can't find a place to live even when they can afford it because they have a voucher. In Austin this community stepped up and asked the council and the council responded to ban discrimination against voucher holders, but then I believe that our state leaders did the wrong thing by enshrining discrimination in the form of senate bill 267.

[3:07:27 PM]

That's not a surprise. They've enshrined discrimination and broken federal law several times I believe in these last few legislative sessions. But I'm proud to be part of this dais who I stepped up and challenged the legislature for violating folks' basic rights by stepping up and challenging senate bill 4, by voting earlier today to take legal action against the state who has transferred essentially in the coming years hundreds of millions of dollars in wealth from taxpayers to the private cellular industry and today hopefully with this vote challenging the state for enshrining discrimination and violating the civil rights act of 1968. Some have asked what the appropriate level of resources are for these challenges and I cannot put a price tag on the civil rights act of 1968. So I would like to thank my colleagues for their support on this item, the Austin tenants council, the Texas housers, Texas Rio grande legal aid and everyone else who stepped up to support this in the first place but especially adopt. Thank you all for your amazing advocacy work.

[Applause]

>> Mayor Adler: Any further discussion on the dais? Okay. It's been moved and seconded. Let's take a vote. All in favor say aye. Those opposed. Approximate Claire votes no, the others voting aye. This passes. Let's hit some of these items that -- work our way through. We have staff here on 16, 17, 18. Mayor pro tem.

>> Tovo: We still have item 5 and I had a couple quick questions. And consent zoning.

>> Mayor Adler: Let's get rid of the consent zoning.

[3:09:29 PM]

>> Greg Guernsey, planning and zoning. Items for consent item 64 on second and third reading. 65 and 66 are related. 65 and 66 have to do with the property at 3212 east Cesar Chavez. Councilmember Renteria had mentioned a possible postponement this morning. Changes and corrections to September 28. My understanding the neighborhood and applicant have agreed to August 31st.

>> Renteria: 31st. At the request of the govalle neighborhood association.

>> I can offer 65 and 66 as -- for consent postponements to August 31 on the neighborhood's request on their behalf. Item 67, staff is requesting postponement of this item to October 5th and finally item 68, staff would offer for consent approval on all three readings.

>> Mayor Adler: Is there a motion to approve the zoning consent agenda? Ms. Garza.

>> And includes closing the public hearing.

>> Mayor Adler: Closing the public hearing on 68. Those in favor please raise your hand. Those opposed. Unanimous on the dais.

>> That concludes zoning for the day.

[Applause]

>> Mayor Adler: Do you want to handle number 5 if you have a quick question on that, mayor pro tem?

>> Tovo: Yes. This is the item for the additional commercial kitchen -- well, for a test kitchen. I think I maybe need -- I don't want to characterize it. I think our convention center needs to -- I had an opportunity to ask a few questions yesterday of our assistant city manager Dr. Washington. As I understand it this is also going to be used as meeting space.

[3:11:29 PM]

You know, because I guess we did have a lengthy discussion about this when it was on the agenda, but the question did come to my mind, one question I had, if we're talking about expanding to create more spaces is a test kitchen the best use. Explain how it's going to be a multifunctional space.

>> Mark tester, director of the Austin convention center. It is an events space first. Really will be done for smaller functions, much like our innovation does with the co-creation process. A lot of events with the board of directors do long-range planning so events based first that will be able to serve food and beverage and be an intimate space. It will be rentable to customers both to exhibitors and events. So we're making a warehouse space into additional event space. And then we will also utilize that for all of our facilities for tastings when they have those for events coming in to taste different foods, linen and flowers and other things related to their events. That would be secondary to the purpose of it being an event space.

>> Tovo: So the real question I have today -- thanks, I think that's a useful description. I think we had that discussion in March but I think it was far in the recess of my brain. Last year during the budget conversation I had brought forth some direction and the council adopted it, as I understand it the revenue with our catering contract, all of that revenue needs to be as per the contract needs to be spent marketing the catering company. Or marketing the catering for the convention center.

>> I think you're referring to the equipment and replacement fund which 5% of gross revenue goes into a fund that is to be utilized, part of that for equipment and the other half is for marketing.

[3:13:36 PM]

I think that is maybe what you are referring to.

>> Tovo: I'm not sure.

>> Or just the profit that we receive from our food and beverage operation that goes to -- goes to our operating deficit, if you will.

>> Tovo: Neither one sounds like the information I've been reading. It was really the catering -- the way the budget direction was expressed, it was the catering -- with the understanding that the revenue from the catering contract largely goes by contract standards largely goes to marketing. But maybe it also goes to equipment. Agreed to ask you to please look at whether the contract could be amended to change that so that the revenue that our convention center gets from its catering piece actually can go to other uses either at the convention center or elsewhere. And the answer I got back is that it would require the agreement of the catering company. It was not clear to me from our correspondence back and forth whether the catering company had said no to that change, but I was told by law that the only way to make an adjustment if the catering company does say no is to end the contract -- to terminate the contract and rebid the contract. So I've been getting -- one of the reasons I'm raising this question is one because we're moving into budget and that was our budget direction from last year and I'm still keenly interested in knowing how we could amend that catering contract to talk about using those revenues for other means because one of them it would seem a useful way to use it would be on this construction. And so those are -- that's both a comment but also a question. Do we have the ability to use the revenues from the catering -- it's my understanding we don't have the ability right now to use the revenues from the catering contract to do construction like this even though it would benefit the caterer and the convention center more generally.

[3:15:36 PM]

>> The current revenue that we receive, I guess we actually call it rent from levy goes into our operating to cover both the deficit and it covers our operating. It is much the same as the rest of the revenue that we receive to help in our operations. Specifically regarding that marketing component, that was specific I believe to what we call the equipment replacement fund which does have a marketing component to it.

>> Tovo: I'm just looking over the memo here. Okay. I think -- I think we'll probably need to take it up in our budget session next week because we may not be talking about the same funds. And so I don't know if other staff on your --

>> Again, we do discount rent for -- off of catered food and beverage -- go ahead, Carl.

>> I will try. Carla Steffen. The revenue that comes from the catering contract is almost in three buckets and there is a marketing component but that is only 2% of the gross revenue that comes to the convention center as a result of their operations. Then there's a fund for equipment, small tools and equipment. The equipment replacement. We then get the rest of it as just general facility revenue, so the rest of their profit comes to us that we use for our operations.

>> Tovo: Okay, that is -- thank you. I appreciate that information. We've been going back and forth for a long time, various people have asked me to close out the vicr and we've got back and forth and I think I need to look back in budget questions and answers from last year because I'm looking at the budget rider and it doesn't mesh with the three buckets.

[3:17:46 PM]

My question remains the same, are you funding the envision kitchen through the revenue from the catering and concessions?

>> So part of it -- when we entered into the contract with the caterer, they invested one and a half million dollars towards a significant project. We're using about 1.2 of that to fund this project. The rest is coming from our transfers into our cip which flows mostly through the H.O.T. Tax. But all of our facility revenue and the H.O.T. Tax first pay for debt service, then operations, then we transfer into cip. That's funding the rest of the project.

>> Tovo: Thank you very much. But this is primarily being funded through the cater.

>> I would say right now --

>> 44% of it.

>> Tovo: Thank you very much.

>> Mayor Adler: Is there a motion to approve this item number 5? Mayor pro tem makes that motion. Is there a second? Ms. Pool. Any discussion? Those in favor. Those opposed. Unanimous on the dais. Thank you. What about item number 14? There was something -- this was being postponed, as I recall, till 8-31, but there was something you wanted to ask or say, Ms. Troxclair.

>> Troxclair: Yes, and I'm sorry I didn't bring this up earlier at work session. I know staff has been working on the revision to the special events ordinance. One of the -- so I was hoping if we were going to postpone it, I was hoping to have the agreement on the dais to give some additional direction. One of the things that I hope will come out of this special events ordinance is to allow our neighborhoods and other organizations to have local -- affordable local events outside of the downtown core.

[3:19:51 PM]

I know I've mentioned it before, but Travis country in my district they have started hosting a charity run raising money for nonprofits. It's completely contained within their own neighborhood and it's a great way for them to foster building good relationships with each other while not requesting street closures downtown or on busier corridors. But the one thing they continue to struggle with is the high cost of police, the way in which we require them to hire police to be at every barricade. So my office has been talking with the police association as well as city staff, it's really not an issue that the staff so far has felt I think has wanted to venture, but from my conversations it sounds like the police association is at least open to talking about the idea and I'm hoping over the next two weeks the staff can get with them and maybe present us with some options if we wanted to change the way that we were charging for uniform policemen when we have these kinds of events. That would be great. So I just wanted to get the dais' thought on that. And then the second thing was that I have heard a lot of concerns that the draft ordinance that we're being asked to I guess consider in two weeks won't have the administrative roles associated with the -- rules associated with the ordinance written yet, and I understand if staff feels like

they need more time or they need this to be passed first, but it does concern a lot of the major stakeholders feel like they don't know what council is being asked to pursue so I was hoping staff could be directed to provide us with as much background as possible -- or as many of the administrative rules as possible in two weeks when it comes before us so we have the backup information about what direction we're going towards.

[3:22:05 PM]

>> Mayor Adler: Okay. Any further discussion on this? So I think one of the questions was whether or not we could approve this on second reading next week and have a better feel for what the regs would be on this item before it was finally passed. This is the special events. It's up for second and third. One option would be to pass it on second and then ask to see what the regs would look like so that the community could see it.

>> Are you talking about the administrative rules?

>> Mayor Adler: Yes.

>> The administrative rules come after you all pass the ordinance and, of course, that's on the manager's side of the house. And the council is typically not involved in the administrative rules. So we certainly will work on them after the ordinance is passed and you could pass it on second reading today or next time. I think that the assistant city manager or city manager had asked for it to be postponed.

>> Mayor Adler: So I think it's one of the issues, I think one of the questions is going to be whether or not we pass this first or whether we see the ordinance first. I hear what you just said and I think that probably leaves some things still to be worked out. Okay. The motion is to postpone this I think until the 31st.

>> Troxclair: And was there any objection to giving staff direction to coming back with some options about how we can reduce public safety costs associated with small scale neighborhood events within the next two weeks?

>> Mayor Adler: The manager said she would take a look at that.

>> Troxclair: Thank you.

>> Mayor Adler: Motion. Mayor pro tem.

>> Tovo: No, and I guess I'm a little surprised that that -- that's not a new conversation. I know the street closure task force embarked on that discussion and I think in fact in their final report which was adopted by the city council, I don't know how long ago, they asked for the same kind of direction and I think even included a provision.

[3:24:19 PM]

So I guess I would just look to our staff. It does no harm certainly to provide that direction to staff, but I would assume you've been having those conversations just because it's come up so very often. Around this issue.

>> Good afternoon, bill mano, special corporate events. Yesterday ace management met with city legal to discuss the option mayor Adler presented at the work session about possibly approving on second reading and coming back on third with the rules. We will follow the direction of the council. It's not really possible to get the rules written in two weeks on the 31st. However, we do have ideas of where that needs to go, that process, what needs to be discussed with the rules, we're mapping that out now as far as the calendar. So as far as fees, we were going to many come back to council as well whenever third reading is with some proposals for fees, and from what we have heard from several councilmembers is some way to incentivize events that occur outside of the core of Austin to make it less expensive for them, maybe to encourage them to move out. So that fee schedule would include that topic as well.

>> Tovo: So I guess then -- thank you for that last point because I think that raises a question for me. The options that were being contemplated and suggested by the street closure task force were about using nonapd officers and I think we've had this discussion before. I think that has to be -- that's within the discretion of the chief of police to approve those are not. Councilmember troxclair, are you suggesting we would charge less than the cost of service for those public safety -- I thought you were talking about something else that we were exploring an ongoing conversation about how those public safety resources could be met perhaps through other means, not just APD officers.

[3:26:27 PM]

Are you suggesting they would be APD officers but we would help subsidize the costs?

>> Troxclair: No, the former.

>> Tovo: Okay, great. Thank you.

>> Thank you.

>> Mayor Adler: Is there a motion to postpone this until August 31st? Mr. Flannigan, seconded by Ms. Garza. Discussion? Those in favor raise your hand. Those opposed. It's postponed. Let's now call up items 16, 17, 18.

>> Mayor, council, city manager, Lorraine riser, director of real estate. I want to first thank you guys for - for your leadership and for encouraging us to look at a new method for city facilities. I'm really excited today to present to you and for your approval our first new facility acquisition. The first thing I want to show you is the incredible savings in price. We've saved \$45 million is the traditional way [inaudible]. The second important thing to identify is that we save three to four years in time frame in getting the facility built. And that's exciting because we're expecting if you approve this today, we're expecting the facility to be completed in the fall of 2019. This is a picture of what the new facility will look like at the highland mall.

[3:28:30 PM]

This is a 264,000 class a building. This building will accommodate 1,000 employees. It will centralize all the development functions. It will be a customer oriented experience on the first floor layout. It will have cafe space for both the staff and for the visitors. It will have locker rooms, an event oriented courtyard and a parking lot and it has dedicated green space. This will be a demonstrated project for the Austin energy and it will include rain water collection, condensation collection and on-site black water treatment. It's similar to the living machine treatment plant in San Francisco. This will be completely paid for by Austin water utility. And they are very excited to have this demonstration project in a building where developers will come in so they will be able to showcase this type of facility in the future and hopefully this will encourage other new buildings in the city to take on this type of innovative strategies. Is there any questions or comments for this facility?

>> Mayor Adler: Councilmember alter.

>> Alter:, thank you. I wanted to just commend you on your innovativeness in approaching this project. How many other cities have done this p3 approach?

>> This p3 approach we are the first city in the united States to do it this way.

[3:30:32 PM]

>> Alter: Thank you for approaching this with an innovative way. I can't say I don't wish this is for a different part of the development services but I'm glad to see us moving forward with an innovative approach to meet our costs and meet -- reduce our costs and meet our needs.

>> Mayor Adler: I want to reiterate that as well. Taxpayers and residents in our community look to see if our government is being the proper trustees and stewards of public funds, and I think that the innovation and creativity that you and Mr. Canally on this to save \$40 million on a project, to get it brought to us two to three years earlier than it would otherwise be brought by utilizing new methods and public-private partnerships is pretty exciting to see. We're all proud of you. Thank you.

>> Thank you.

>> Mayor Adler: Anybody else on this? Mayor pro tem.

>> Tovo: I just have a quick question. I'm delighted it's going to be a demonstration project for our water -- for water use and water treatment and on many of the -- and the financing mechanism I think is really innovative and I appreciate all of your work and all of the work of Mr. Canally and others. We had an earlier conversation about the possibility of having a child care facility within the building and I wondered if you could update us on whether that's a prospect moving forward.

>> Yes, councilmember, we do have a designated area outside the building that a day care can be built. We went and we met with ACC and they hired a specialist to study the child care issue, and it was a lot

more complex than we imagined, including that this area had many day cares and ACC was studying whether it would put private day cares out of business.

[3:32:41 PM]

They were actually even going to that it was a better use of their funding to do a voucher system versus day care, so what we found is that we needed to have a larger strategy for city of Austin employees and we needed to bring that back.

>> Tovo: So the intent is -- thank you for all that extra work on that. I'm real interested to hear a little more details outside this context of this hearing about what their findings were. I assume outside of the building means somewhere else maybe not in that development.

>> Council, it will be on this site. There will have stubouts where you can build a 6,000 to 10,000 square foot building in the future so we've accommodated that far. But to put the additional having a plan we felt it was better to move forward at this time and then visit with council on other strategies that that same amount of money may be able to accomplish.

>> Tovo: And so -- so I would like to see to the extent you can share it the ACC information and whether that was analyzed with the eye toward the number of employees in this building as into the future with the high line site. I hope we can visit regarding that issue. Thank you. What do you think your timetable is for coming back to council with a broader plan for the city?

>> That would be an issue we would need to talk to with the city manager. That would probably be a different staff.

>> Tovo: Thanks so much. I appreciate it.

>> Mayor Adler: Mr. Casar.

>> Casar: I echo the statements that my colleagues have made on this model for looking for new city building and I know there's several more that we need to get done.

[3:34:43 PM]

One thing that we didn't highlight was the fact that we are paying so much in lease payments right now for existing staff that it's really a savings for us to be able to get our staff into city owned buildings and out of leases that are continuing to increase. I appreciate the environmental benefits and the extra work done there. Also since there is a district 4 building and there is a green space forthcoming and I know a lot of people have interest. Would you just give us a couple sentences more on what the saint John encampment park might look like and how it's associated with this vote?

>> The St. John's park will be across the street from our facility and right now it's contemplated to be an acc-owned park. It will have an amphitheater. This park will actually be dedicated to a special person that's been associated to the St. John's neighborhood and has been for years. I don't know if it would ruin anything if I name names now so I'll leave that to ACC, but they look at it to be a very public space



with a connected promenade that will go across the property and it will really be a thing of beauty for this neighborhood.

>> Casar: And how does our building of the building impact the construction of the park?

>> The park was connected in the rfp process that they were going to have a public space that our employees can join, so in our -- our negotiations we have that the developer will contribute on start of construction into escrow a million dollar or half the cost of the park which a ACC will use in the development and ACC will pledge additional money needed for the park.

[3:36:48 PM]

Our development is actually -- there was already a place for the developer to contribute where our contract will actually accelerate the time line.

>> Casar: That's great. Thank you so much. My understanding is barring unforeseen circumstances, ACC is get that park up and going at the time we open this building so we can inaugurate both the building and the park.

>> That's correct.

>> Mayor Adler: We have two speakers to speak as well. We'll hear from them first. Let's go to the public: Stuart Hirsch and Adam Kahn.

>> I want to talk to you about fiduciary responsibility. 30 years ago this month the city budget had a problem. We were going to have a shortfall and all of us who didn't work for police and fire were asked to take three days off without pay because that's what it would take to balance the budget and get us through the next year. I office here at 301 west second in the basement where we didn't have plants because the rats drank the water and the plants couldn't live. So we tend to do look at the world in very financially constrained areas. And what we did is we set up remote permit offices, one at south first and William cannon, the other at shoal creek and Anderson lane because it was easier for the electricians and plumbing and heating and air folks to drive to other locations than drive all the way downtown. Today you are about to make a mistake. You are going to approve \$121 million to build a new permit office when you could be using the certificates of obligation 50 million to take the highest at risk people out of the flood plain and another 50 million for affordable housing to achieve your 6,000 income restricted goal for the next ten years, but when you spend the money this way for a very robust and beautiful and sustainable building, you don't take more socially nor financially conservative approach that's could get us the amount of buildings that we need for the people that we want to serve and the way we want to serve it.

[3:39:12 PM]

The good people at development services need a better facility than they have, but there are other paths other than this to get there and it's obviously that this is going to happen anyway, but I wanted to highlight for you the lost opportunity on flood plain buyout, home repair and affordable housing which I

believe based on your work sessions on budget so far you're going to face challenges on anyway and we'll talk about later this evening. So please disapprove this item. It looks very pretty, but sometimes the price of pretty is something most of us as homeowners and renters can't afford and we've made sacrifices to get where we are and we would appreciate you do so as well. Thank you very much.

[Applause]

>> Mayor Adler: Thank you. Adam Kahn. Mr. Kahn. Thank you. I think one of the ways -- we're going to move people out of the existing building that we have and then move tenants into that building, which then frees up what we were paying in rent. Is that one of the --

>> That's correct. And I need to note for the council that certificates of obligation are not allowed to be used for funding affordable housing or rental assistance. Those types of projects are considered economic development projects and the state prohibits us from using certificates of obligation for those. That's why we vote general obligation bonds for affordable housing. But that's correct, mayor, once we move the development services staff and other department staff to this new center, we have many staff and other leased facilities that will be relocating into one Texas center to reduce the cost. Greg, if you have anything else.

>> Greg Canally, just to add to that, currently the city we spend over \$6 million of annual O and M budgets on leases for about 250,000 square feet of lease space so this will provide two opportunities.

[3:41:21 PM]

One, once the new building is completed and purchased, we will be able to use the vacant space in one Texas center to backfill and save lease savings through a variety of departments. The cost of this building, the debt service, the planned debt service would not begin until about 2020, again after the purchase and that will be covered by development services revenue.

>> Mayor Adler: The reminder to always be mindful is very well taken. Ms. Garza.

>> Garza: I appreciate Mr. Hirsch's comments and I agree with much of what he said. I wanted to emphasize the points that the mayor pro tem was trying to make. I feel like so many times when we have these new buildings it's happened at Saltillo for Cap Metro, there's discussions, the community comes forward and asks for things like day cares and grocery stores and those are always the things that get eliminated from these projects. And it's always -- it's not going to work here, we show a study that says, you know, what I heard today was the concern about putting day cares out of business. And maybe that's -- I'd love to see the data on that, but the reality -- most of the people that are probably going to come into this building do not have their kids at day cares around that building right now. Their kids are at day cares close to home or wherever they could get into a wait list or several wait lists has been my experience. So I hope that we as we're finishing out this project take a really serious look at a day care because it's such a quality of life thing when you are -- it happens with my staff when we're having a late meeting and everyone has to rush out by 5:20 to be able to get, you know, to pick up our kids by 6:00 or you are paying a dollar or two dollars a minute every time you are late.

[3:43:29 PM]

And so that's a huge quality of life issue and I really hope this is not another project where we say it's not going to work here this time. I'd ask our city manager to really take a really serious look at that.

>> Mayor Adler: Mr. Flannigan.

>> Flannigan: I mostly wanted to highlight the savings that we'll have in leases. I'm glad, mayor, that you brought that up. This is so many good things about good government that come out of this process. One being that we're leading the nation on how you build a building and how you capitalize what are right now operations expenses. It's going to free up resources to do other things. It's really a very exciting opportunity. Mr. Canally, you said that the debt service for this building will get paid for out of development services.

>> Correct. Out of the -- from the fees that are collected as part of our permit and [inaudible] Processes.

>> Flannigan: So then the -- does development services pay for its place in one Texas center?

>> There is a rent we charge within one Texas center right now. Allocating costs of both the rent and the existing debt on one Texas center, that is about to finish, but also operating costs. So currently they have funds right now that will be applied to this and in addition to that they have about \$2 million of other lease costs. As you know, they've been a growing organization. They've had to secure or look at securing other lease costs. So the net to them will be in the range of about \$5 million of new cost that will be covered by fees.

>> Flannigan: And the transfers we charge development services as the least cost of one Texas center, how does that compare to the amount of money we pay in leases to the departments that will likely occupy that space?

>> One Texas center is a cheaper building to operate and also had the building going on since the late '90s is a cheaper option than existing leases that I think as Lorraine mentions we are subject to rent increases and having to come back to council and ask for additional lease terms and additional funds for those leases.

[3:45:48 PM]

>> Flannigan: So when you lay this out in a spread sheet, you can see that by building this building for this purpose, you are able to capitalize the cost of space paid for by developers through the fees charged to development services, and simultaneously reduce the costs to other departments that will then transfer into one Texas center. So it is not just a 3p, it's a three win. We win on every side at every angle. I find that to be the most valuable argument. I love the fact that the traditional processes would have cost \$40 million more and we saved \$40 million, but that's kind of like when you go to the grocery store and buy a bunch of stuff on sale that you didn't need and say look how much money I saved. But we're also going to have those dramatic savings in our operating budgets in other departments that will

help us fund or return money to the taxpayers, whichever way this council decides to vote, but it will give us that additional flexibility that we like today, so thank you.

>> We like there's many good aspects to this transaction. Thank you for your time and effort as we've gone along this transaction with us. It's been very helpful.

>> Mayor Adler: Okay. Is there a motion to approve items 16, 17, 18? Mr. Flannigan makes that motion, Mr. Renteria seconds. Further discussion? Those in favor? Those opposed? It's unanimous on the dais. Congratulations and thank you. The mayor pro tem abstains. Good job. Manager, good job. That was really creative. All right. That gets us then to item number 24. Ms. Houston, you pulled that.

>> Houston: Thank you all for staying so long.

[3:47:49 PM]

I just have a quick question about 24. Can you tell me how this happened? How did we get up in this place where we're now having to pay the state of Texas -- txdot to move our water and wastewater lines.

>> Rich Mendoza, director of public works. This final payment trues up the costs the city was responsible for for adjusting our water facilities related to the 290 at wm cannon drive transportation improvement project. The city typically enters into these agreements whereby we have to adjust our utilities that are in conflict with their transportation projects. This particular final payment is related to an unknown utility that we discovered during construction. It basically was a waterline that was very shallow so we had to make some field adjustments and incurred some additional materials, costs, some additional design costs. This is not uncommon when we get into projects of this scope and size. Our engineers that do design use designs and drawings of record, and since many of these utilities have been around for so long, those old drawings are not always accurate.

>> Houston: So the project was started in October of 2013 and was completed in 2015.

>> Yes, ma'am.

>> Houston: So that's two years ago. We're just finding out?

>> No, ma'am. So txdot was managing the project. They have a process by which they close out the project through the warranty period and go through the reviews of the final as built as submitted. After that they were engaged with conversations with our public works staff to review the claims for the change order, and we had to review that and through negotiations to make sure we were only getting billed for what was applicable our responsibility related to these field changes.

[3:49:58 PM]

So it's a combination of txdot review process and the city and txdot negotiations around the final costs.

>> Houston: Okay. Thank you, sir.

>> You're welcome.

>> Mayor Adler: Is there a motion to approve item 24? Ms. Houston. Is there a second? I need a second. Mr. Renteria seconds. Discussion. Discussion? Those in favor please raise your hands. Those opposed. It passes. Ms. Houston, you pulled item 28. I'm sorry. 28 was withdrawn. 24 handled, 28. That gets us then to item 42. We have some team signed up to speak on this item. Does stay want to lay this out? Then we'll go to speakers.

[Inaudible] Item 42 is to authorize two contracts for Austin energy to provide energized line clearance services. This item went before you back in may and there were some questions that were raised at that time. These questions many of them were new to the purchasing office so we needed some time to look into them. There's been some subsequent communications with the speakers that were at the last meeting and staff are now bringing this item back before you for authorization. Purchasing office, Austin energy and law department are available to answer any questions that you may have on this item.

>> Mayor Adler: Okay. Anything on the dais before we go to speakers? Okay. Thank you. Juan Arivedes.

[3:51:59 PM]

Is David Garcia here? Okay, Mr. Garcia. Mr. Arivedes, you have six minutes.

>> Thank you. I was wondering if I could go after Jessica.

>> Mayor Adler: That would be fine. Jessica Presswood. Let me ask if Pete Garcia is here. And is Freddie Lopez here? And you have nine minutes.

>> Thank you. Did you see how he did that? He just kicked me right in here. Okay, so I am here opposing the recommendation in number 42. On behalf of gtt. I'm opposing it because the recommendation does not value, it's not going to add value to the city of Austin. And when I'm reviewing the solicitation that is for this project, it states that the contract is going to be awarded to one or more vendors based on the overall value to the city. I mean that is how this contract is to be awarded. It's to be awarded based on the overall value to the city. It's not to be awarded based off of the matrix. It's not to be awarded based off of the highest score. It's to be awarded based off of the overall value to the city. So then you may be asking where does this matrix come into play, why do we have this matrix? We have this because under the scope of work 6c it talks about the matrix. It states that if this contract is awarded to more than one vendor, then the person with the highest score gets to determine their zone. So there's two Zones that are broken out. There's the northern zone and the southern zone. So the contract to be awarded is based off the overall value to one or more vendor. If there are more than one vendors, then the highest gets to determine their zone.

[3:54:01 PM]

That's it. Pretty simple, right in you heard my arguments back in may, I talked about the value to the city of Austin. I talked about how gtt is 100% minority bidder. How it's owned by a previous Austin firefighter. How we keep our workers on -- it's an Austin based company, all money stays within Austin,

all taxes stay within Austin. We did have the opportunity to meet with Austin energy. And they outlined that their main arguments as to the scoring, again my position is that the scoring is not as important as they seem to think it is, but they outlined that gtt's experience for pedernales began in 2009 but there was ambiguity asked to the number of years or the experience in which gtt has directly associated with line clearance. There was an ambiguity. Gtt has provided a six-year contract with pedernales, they meet the requirements, no question about that. They meet all the licensing, all the requirements, all of the experience, they are qualified. So I just want to get back to my original question, what does the city of Austin value, right? Does it value minority -- minorities? Does it value business opportunities to local businesses? Gtt is going to provide opportunities to local vendors, keep the money in Austin. Does the city of Austin value quality, does it value increased jobs within the city because that's what gtt is going to do.

[3:56:07 PM]

Austin energy is recommending asplundh and Wright, neither one of them are Austin companies. One of them isn't even a Texas company. There's millions of dollars that are going to leave this city if y'all approve this. That's a lot of money. So we're asking that you either award the contract to gtt in its entirety, you award it to gtt and another vendor, you award it to the two vendors that are being recommended and gtt. And there's nothing stopping you. You can award it to four, five vendors. So our ask today is that you look at the value to the city of Austin, you look at the way these contracts are being laid out, you look at whether or not having money in the city of Austin, keeping tax money here, increasing jobs here, keeping costs and savings down is a value to the city of Austin. Their bid was \$10 million less than what the previous contract cost. And whether or not loyalty to the Austin community is a value. And that's where we are. I appreciate it.

>> Garza: Could I ask a question? Could you explain more about -- I was looking at the scoring matrix and it's like 1 and 2 is where gtt scored the lowest. Is that what you said there was some an ambiguity.

>> The applicable experience it was very low because there was confusion the way they submitted their information, they said experience beginning 2009 but didn't put an ending date. When they did their experience, they said beginning this year, beginning that year. There was also an argument that all of the information wasn't provided or wasn't available to Austin energy to make some of these scores higher, right, so the second score.

[3:58:18 PM]

And our position is that the information is there. I mean they presented a ton of information. But maybe it wasn't as packaged as nicely as it could have been or maybe it wasn't packaged as nicely as asplundh and Wright who previously have this contract and know how to submit this information, but the information was there, you just had to search for it a little bit harder.

>> Garza: Thank you.

>> Mayor Adler: Okay. Juan arivedes. You have five minutes.

>> Thank you. Juan arivedes with the U.S. Hispanic contractors association. Councilmembers, this -- this is a very easy -- very feel good type of recommendation that we make on behalf of this company, and councilmember Houston, gtt stands for Garcia's tree trimming. And we -- we endorse this. I've spent a significant amount of my professional life in this line of business in minority contracting and supporting minority owned businesses, and everything about this feels good. Mr. Garcia is from here. This is an Austin company. In fact, this morning before we came into chambers he was sharing with me that that as kids they used to go down to lady bird lake and pick pom grant this is definitely a homegrown company. They will fuel the local economy, they will fuel local suppliers, fuel local vendors as you stated for Mr. Garcia.

[4:00:28 PM]

This is also a moment in history for the city because a minority owned company has never been able to participate or submit a contract for Austin energy for tree trimming. This will be a first. And so I encourage all of you to think about the implications for today's contract. It's very important for the minority community to see that they too can work hard and they too can participate locally in their city. And this is the main message that I want to provide to you and I hope you will consider setting aside staff recommendation and allowing Garcia's tree trimming to participate as one of the two companies that staff is recommending for this contract for Austin energy.

>> Mayor Adler: Thank you. Those are all the speakers we have. We're now back up to the dais. Did you want to respond?

>> Mayor and councilmembers, James Scarborough. I have with meio a Landa Miller with the purchasing office. There are a few issues raised that I'd like to touch on briefly, but invite more specific questions, questions about the evaluation or questions about this type of service and the intricacies of this type of service to be responded by my colleagues, questions about the evaluation would refer to Ms. Miller who is over the purchasing group at Austin energy and I would also direct questions associated with this type of service and the kind of complexities, the certification, the dangers of this type of service to our colleagues at Austin energy.

[4:02:32 PM]

There was a comment made about the best value and the overall best value to the city. That certainly is a statement that's made in the solicitation. It's a way of referring to criteria based evaluation. The criteria that we set forth in the solicitation and the waiting that we set forth with that criteri a are a way for us to numerically represent the best value for the city. Otherwise, individuals, groups, various persons would bring to the table their definition of best value. So what we try to do to level the playing field is to determine what we mean by best value in this particular solicitation. So we try to weight each criteria and that was a question -- that was one of the questions in this regard, how that criteria were evaluated for specific types of experience and references and so forth and how t the weighting was allege indicated when the ratings were done. So when we say best value that means evaluation based on criteria as shown in the solicitation with the weighting that are shown in the solicitation. There was also a reference to ambiguity to the proposal's experience. When the evaluation committee looks at the

proposals, what we encourage them to do is to evaluate the offers based on the contents of those proposals and to the extent that they not bring forward additional information that they may derive from outside those proposals that way we're evaluating the officers based on what we can see and what we can confirm in the filing and public record and not perceptions and not anecdotal information and not information that you can't put your finger on and that you can't actually see. And sometimes they will provide more complete responses than others.

[4:04:34 PM]

And it appears to be in this case that the information that was provided that was in the proposal was insufficient to document experience above the minimum required. The offer that we received from this company did meet the minimum requirements, but to the extent that it exceeded and earned additional ratings for exceeding those minimum requirements, that's competition. And unfortunately in this case they were rated less favorably than other offers that exhibited more experience in their proposal. We're unable to receive additional information, clarifications that may come now or come with additional submissions we're not able to receive them at this time. The evaluation committee made the evaluations they did based on the contents of the proposal and the information that was provided in the proposal in this case. So to that extent the ratings that you see before you represented what were in the proposal and not what was later or what may be later provided to the city. Also there was a reference to preferring local businesses. We applied the local preference in this case to this local offer had an advantage over others that were not located in the jurisdiction. One of the other two offerers that proposed was also awarded the local preference, one of the offerers was not. So to the stint that we can answer any additional questions I'm glad to do so. With regard to the evaluation I will with regard to my colleague, miss Miller. And with regard to the operation or how these contracts work I would refer to my colleagues at Austin energy. Otherwise I'm glad to take your questions. >>

>> Mayor Adler: Mr. Flannigan.

>> Flannigan: Thank you for have some very difficult and constrained work that you're forced to do.

[4:06:39 PM]

My office has had some very productive initial conversations about how to evaluate purchasing on a higher level. We keep having the same conversations on this dais over and over and over again and I don't know that that's going to be enough to change a process or make it better or just to talk about it on Thursdays. We're looking forward to continuing to work with you on vaulting different purchasing models that can be more responsive to be inevitable debates that we're going to have from this dais. On local presence, let me understand again how local presence is determined?

>> The local preference program that has been in place for a number of years and that we've employed in our request for proposals is a 10 point preference and basically a company would indicate in their response whether they had a headquarters that was located within the full jurisdiction of the city of Austin or whether they had a branch office that was located in the full purpose district of the city of Austin for at least five years. So in this case of the offers we received,, the offerer presented the



concerns this afternoon and at least two of the other offerers received the local preference. Other offerers that don't have headquarters, that don't have local branches located within the city of Austin do not receive a preference.

>> And you said I heard you correct, you said full purpose location?

>> Yes, sir.

>> Flannigan: So in a previous item, in a previous meeting we talked about a local business that was just out of the full purpose. And I think it was an all or nothing number, but that certainly doesn't address today's concerns because the 10 points is not the difference. Kind of related to the other item we talked about today for the family business loan question, and this may be a better question for Austin energy or add.

[4:08:49 PM]

For what do we provide support for small businesses, minority owned businesses, to make sure their positioning themselves in the best possible way when they respond to these requests, and/or are we helping our local businesses be better businesses to respond to these requests?

>> Dan Smith, vice-president of electric service delivery with Austin energy. In reference to -- there's a couple of ways they can. I think one is to build experience with some smaller opportunities. And this particular case it could be with some co-ops or other facilities in the vicinity, smaller in nature. Scope is a fairly large significant scope of work involved. The other one would look to be partnering. Would look to be a sub to one of the larger firms. So that would be ways that some companies could really enter into the space.

>> That could be a challenge when you're a direct competitor. I've been a small business owner for 20 years and I often would be subchapter contractor for companies -- subcontractor for companies that were not doing the same work I was doing, but rarely would a sub for for a company that was doing the same work that I was doing. I think it's challenging that more than one vendor was selected and this is more of a discussion item, not necessarily something we're going to decide today, but to the extent that there are opportunities to provide small carveout elements of these large multivendor contracts, specifically for emerging businesses, local businesses, folks that have done some of that outside work. They've worked with pedernales, worked with outside vendors, but haven't hit exactly the right point that's getting them the numbers they need in the metrics so it's half a process question and modeling and what are the ordinances that we've created that constraint in the hands of the purchasing department, but also thinking about how we can proactively design our rfp and our purchasing processes so that there can be smaller entry point opportunities for these local businesses, that's where I'd like to see us go.

[4:11:10 PM]

Unfortunately today I think we'll be able to solve this problem and when I look at the matrix and I see the score differential so dramatically different I feel like I need to fall back upon our experts in the

purchasing department and move forward with this contract, but it has renewed my resolve to continue our conversations, Mr. Scarborough, with the purchasing department and with some of the other departments that have these renewing ongoing contracts that can benefit our local businesses. Thank you.

>> Mayor Adler: Ms. Houston?

>> Houston: Thank you. And I have a question for Austin energy. Has Garcia tree trimming ever done any work with Austin energy during the floods or any times when there was additional work that needed to be done? Have they ever been used?

>> No, ma'am.

>> Houston: But you do have the information from pedernales.

>> As far as direct conversation with pedernales I was not part of the evaluation team reference that was given. I think part of the -- maybe some of the struggle with the documentation submitted by Garcia was a reference they did provide was a person that no longer works at pedernales. So as far as getting any information from pedernales from a reference that was there, that was not accomplished.

>> Okay. Here comes some help. Here comes in help.

>> Councilmembers and mayor. I understand that Garcia tree has done some work on behalf of communication companies in Austin. That would be right-of-way clearance work. So it was not the vicinity of energized lines. So there has been work that has been done as a subon behalf of communication companies that are attaching infrastructure to Austin energy's lines. So the answer is yes, they have done some work within Austin energy's right-of-way.

[4:13:10 PM]

>> Houston: But none of it has been with energized lines.

>> Not with energized lines.

>> Houston: And that's a requirement for this solicitation.

>> Correct.

>> The information that was provided to purchasing and to the evaluation committee, we could not verify anything other than what was in the proposal. And that information was not there that you're asking. So to verify that what gtt is proposing now. We had to go by what was in our -- the proposal, as well as what we were able to find in their references. So we could not verify that information.

>> Houston: And I understand that, but I also understand that with some of our life and economic development, when we have a minority owned business that's trying to make a difference and trying to get the skills and the opportunities to produce a valid solicitation and be named a prime in our city and someone that's locally grown here, there are ways to help do that. And I think that was one of the

questions do you all offer that same kind of assistance because it's hard to come up against an international company like the number one solicitation person is. They may have a branch in Austin, but this company is internationally known. So it's hard for a local grown business to be able to compete with those companies. So I too continue to be concerned about what do we do when people have a solicitation. Do we try to mentor them or help them make sure that they understand what all the requirements are and try to help them get the necessary skills so that they can in fact be successful?

>> Sure. If you would like for Austin energy to give you more information about the ir mentoring programs, but I just wanted to make sure that you knew based on the experience we were just using the information whoa had access to.

[4:15:15 PM]

>> Houston: I understand. But does Austin energy have a mentoring program to help --

>> Can I jump?

>> Before they talk about specifically what Austin energy does, I did want to speak globally to what we're trying to do as a city. Some of the discussions that we've been having with our disparity study that was conducted for our department is looking at a mentor protegee program. Not not specifically to Austin energy, but as a city. We do see that as an important way to get smaller businesses, minority-women owned businesses into the competition with some of these larger businesses and establishing those relationships. We are also looking to see where we can break down contracts into smaller contracts so that there's opportunities for smaller businesses. We realize that that is certainly a concern for a small business in terms of the size of contract that they respond to. And again that's the global level, not just for Austin energy, but for all of our city departments.

>> Yes. And again on an informal basis, Austin energy has made its forestry staff available to meet with smaller companies to discuss Austin energy's requirements. Obviously we couldn't visit be Garcia tree while the solicitation was outstanding, but some time ago, approximately a year, year and a half ago, Garcia tree met with the forestry staff at Austin energy and Austin energy provided that information. I couldn't call it a form mall mentoring project, but they have been open and provided that information at the request of Garcia tree. And.

>> Houston: And I would hope that would be available --

>> And that is available to other companies as well.

>> Houston: Thank you.

>> Mayor Adler: I'm inclined at this point to -- Mr. Flannigan, I would like to join you and Ms. Houston to change the policies that we have to increase training, if if that would be helpful. It looks like it's the way we could augment the work that's being done.

[4:17:17 PM]

But from a procedural standpoint when we send megawatt through a procurement process I will understand their recommendation, because it will not be good if we become an appellate court for these except in incredibly rare situations or we'll get a lot of them. So I think the information you brought to us is extremely important in terms of helping to shape the program going forward. But I would leave this process that's gone through the same. Ms. Pool?

>> Pool: Thanks, I have a couple of questions on the evaluation matrix. We're looking at total points is 25. Now, I know that you can't tell us what the different bids are, but can I surmise from looking at gtt's and Garcia tree trimming at 25 is they had the best price of the others because the others are less than 25?

>> That's correct.

>> Pool: And then we're looking at a score of eight at Garcia for demonstrated applicable experience and I think this has been asked here on the dais, that issue is because Garcia hasn't been able to get the city contracts, is that right?

>> It's not based on just the city's contract. It's based on all the contracts that were listed in their proposal and having higher than the minimum amount of requirements.

>> Pool: Okay. And I think I remember there was a reference listed, but you couldn't get in touch with that person? Was that --

>> No. We were able to get in touch with that the experience that they're saying they had was not the experience that was shared with us with their reference -- from their references.

[4:19:18 PM]

>> Pool: And is there a conversation that you all have when you make the decisions on the matrix with the different contractors to sort through all of that?

>> Oh, yeah. Well, with the contractors or with the references?

>> Pool: No, with the person who has submitted the bid. Did you go back, for example, to Garcia and say we weren't able to line up what you said with what -- with the information that we found.

>> I am not sure about that. I know that there is usually conversations when there is information that we need for clarification. But I am not sure to the extent that that particular question was asked. But we do ask that your references, the names of your references for a certain period of time with complete information be listed. And that that information be current and that we be able to verify any information in your proposal.

>> Pool: Okay. The waiting on the -- on the goals, I think. Let me see. I think I've got those all answered. Thank you all. Mayor, I appreciate what you're saying about not wanting to judge this additionally, but I

do think that that is part of what we're called upon to do here in making -- in questioning the contracts and the bids and approving them. I would like to see Garcia tree trimming be included in this bid and to - since we have divide it had up to asplundh and Wright, Wright is not an Austin company. It looks like they're in Iowa. Asplundh has had -- unless I'm reading that incorrectly. Asplundh as I recall has had serious issues with the way they were trimming for Austin energy the trees in the past.

[4:21:22 PM]

I don't know if that -- it seems like that may have been addressed some since then, but I do remember the severe tree trimming and the ways that they did it in the past weren't the way that arborists would have supported. I would like to see Garcia have part of this contract, and I would like to amend whatever resolution comes to us on the dais to include them. I don't know if that means dropping one of the other two out or simply adding Garcia in. But I would like to reward a minority contract who has been trying for quite some time to get a piece of the city -- a piece of this city work. It's a significant contract, \$70 million over three or four years. And I would like to put my faith in them as trying to build their business here as a homegrown contractor.

>> Mayor Adler: Ms. Kitchen?

[Applause].

>> Kitchen: I have a question in looking at the matrix. On the technical solution proposed there's quite a difference. And I believe that gtt scored 10 on that. Can you tell me -- first off, I'm very concerned about the way we count experience. And I think we need to make changes, but I do have to ask what that means, because the it is not the only area of the matrix where there was a low score. The technical solution which causes me questions, what does that mean technical solution with regard to this particular issue?

>> So as written in the proposal, technical solution is the graph of requirements and its solution, responsive science to the terms and conditions, completeness and thoroughness of the technical data, and documentation as well as references, safety and intervening programs.

[4:23:38 PM]

>> Kitchen: So as much as I would like to be supportive, I'm sharing the approach that councilmember Flannigan and the mayor articulated is that that we have a process and it's a process we need to change. And it's not even that so much as if it was only the experience portion of the scoring the n I might be able to consider something different, but the technical aspect of this scoring I think is concerning. So I think that -- I also wanted to say that councilmember Flannigan, I would like to work with you. I think that the problem that small businesses have is we need to change the scoring with regard to experience and the scoring with regard to local preference. Because at the end of the day for small businesses I do agree that training is helpful, but at the end of the date training will not get them the score to win the bid. I think we really have to look at what we're scoring. We also have to look at how we are hamming our score Aring for minority and women owned businesses. So this is something that we've been discussing

on the dais for awhile and it's incumbent upon us to work with you all to suggest some changes and I'm happy to hear that councilmember Flannigan has weighed into that manner and I want to be helpful to him in that process.

>> Mayor Adler: Councilmember Garza.

>> Garza: I hate to beat a dead horse, but I'm trying to get to the bottom of the verifying of the previous work. I heard that the person that they referenced no longer worked there and I heard there was -- that you were able to talk to somebody at pedernales, but they didn't verify the claim. So are you saying that you called and said did gtt do this kind of work? And they said no, they didn't do this kind of work.

>> That is correct. No -- first of all, yes, we did contact pedernales, but we could not verify the length of time as it was required.

[4:25:43 PM]

So you needed to have so many years of experience and that information was not the same as what gtt is saying, and it was not in their proposal.

>> Garza: Okay. And then Mr. Scarborough you said -- so any supplemental information is no longer considered. It's just what was in the initial proposal, is that right?

>> Yes, ma'am, at this time that is correct.

>> Garza: I'm having a hard time because on the one hand I agree with the mayor that I don't want us to be the appellate court, but in a way we are. The decision does come to us to make these kind of decisions. And I'm sympathetic when I hear maybe it wasn't packaged as nicely because it's true. When you're a small business you don't know -- you don't have the experience responding to one of these giant kinds of things where other companies do have that experience. And when Austin energy has these, it seems that they're big contracts, it's hard for these small family businesses to come into that. It appears just these really big contracts for Austin energy. So I would -- I thought of making a motion to award all four of them, but it looks like the rca specifically says you can do two or mow. I don't feel comfortable replacing gtt with one of the ones it's currently awarded to. What would it take to be able to break this into -- to allow more people to get the contract, to allow it to go to three people or four people? Would that require resoliciting this bid?

>> Context the most direct answer to that question would be yes.

[4:27:44 PM]

There may be other options. The solicitation does articulate the ability to make multiple awards. However when purchasing goes out and solicits on behalf after customer we do so boiesed on their business and operational requirements. In this case the customer articulated to us and reiterated that they needed two contractors. And to have more than two contractors -- because the work that was stated that the solicitation was based on two Zones, the northern and southern. To make more than

that would make for a work coordination challenge for the Austin energy. To the extent that we can't in the solicitation, that is possible. To the extent that it will be operationally feasible for Austin energy I would have to refer to them what's being contemplated, including the lowest rated offer may present some problems with the second most lowest rated offerer who is not being rated for award. So these are complexities that were not contemplated by the evaluation.

>> Garza: I understand that for Austin energy it's not operationally feasible, but that is what's creating the hurdle is that when we have this policy by Austin energy that says we can't do small contracts, we can only do big ones, that eliminates small businesses from being able to apply for these contracts. So that's why, you know, on one hand I agree that we need to change some of these policies, but I -- I would support owe I don't know if anybody else has any questions, but I'll yield for now while I think of my motion.

>> Mayor Adler: Mayor pro tem?

>> Tovo: I have to return to the same line of questioning about the experience.

[4:29:44 PM]

So technical solution out of 30 gtt got 10. I really need to better understand whether when you reached out to pedernales, I guess how does that -- did they have -- was it primarily the time period that was the -- the discrepancy in the required time period or was it also the discrepancy had you in the time period you were able to validate? Those are -- those give me pause. On the other hand, --

>> Councilmember tovo, Susan gross again from Austin energy. I was actually on the panel that reviewed the various packets that have been submitted to Austin energy. And it is demonstrating applicable experience. So the time frames that were designed within the bid package as well as applicable experience that needed to be energized line clearance experience as we stated already, and it had to be of a size that was significant enough to demonstrate that they had the experience necessary to do the highly safety sensitive work that is required by Austin energy.

>> Tovo: So thanks for further clarifying. It was the time period, but also the [lapse in audio]. And with the technical solution that was an evaluation of the safety programs and the training of the companies that presented information. As you can tell from the scores there was a significant gap between the materials that were presented and reviewed by the committee.

[4:31:51 PM]

>> Tovo: Okay, thank you.

>> I would like to add and Susan was talking about it. One of the most significant elements is this is really about personnel and public safety. And unfortunately it's not just an academic discussion for us. In fact, a previous contractor who we're not contracting with anymore actually lost a worker doing this type of work. When you think about obviously trees, foliage that's in our right-of-way and actually near energized equipment, it's the type of thing that a kid could climb into and it's a very serious effort that

we're talking about. So from that perspective that's first and foremost. The evaluation team as they reviewed the proposals, they did not have substantial enough information to really say we could move forward with Garcia on that. So there's significant concern so no doubt the volume and size of work is part of this, but also in good conscience we'll be able to move forward with people that we know have demonstrated that they can safely do this work. And then the secondary aspect about it is that it is effective reliability and in turn is customer service. It's a very significant thing we're dealing with. People know too that storms, be able to staff up and be able to handle the volume of work necessary when we hit storm areas is very significant. And all those things were part of what had to be evaluated when we did this. Can't overstress the significance of the safety side of it.

>> Mayor Adler: Ms. Pool?

>> , Are you able to respond to help us with that?

>> In a manner I can. I really appreciate you.

[4:33:51 PM]

I was going to suggest that we ask the expert, the owner, Mr. Pete Garcia, to answer some of these questions because staff is getting an overabundance of staff here and making it appear as if he's not qualified or he's not safe enough. And that's not what we want to portray here at all. He's certainly qualified. And he's had the experience. He's ready to participate in this bid. I appreciate the mention that you made about perhaps including an extra contractor because that's what I was going to suggest as a compromise. Instead of two Zones for this contract why can't we have three Zones and initiate Garcia's tree trimming to participate and actually be involved in this contract and get that experience and break in to -- to a huge barrier that these small companies are trying to overcome. And he's ready to do it now. So anyway, I wanted to, please, ask technical questions, the experience questions that you're all wondering about. Mr. Garcia is here if you would lieu him to speak or address that and can you ask him that. If that would be all right.

>> Pool: I would like to do that if Mr. Garcia would like to come up and take that one on. And perhaps you would like to provide a response to the information that our staff is offering about the lack of information that was in your application.

>> Yes, no problem. I appreciate you letting me talk and speak to you, all the councilmembers and the mayor. What it is is that in 2009 we started the contracts with pedernales electric. We were brought in to replace asplundh tree is service because they were having a lot of problems.

[4:35:52 PM]

We worked from 2009 and the contract was all the way to 2015. We did purchasing work and everything else. It was in 2015 that Google approached us because they had problems with the Wright tree services in the south division of the city and we started to work on the lines. We were working on the energized lines, but it was ray henning who came and stated he didn't want us working on the energized lines because it was a conflict that you had Wright tree service doing it and it was their work and they get



paid for T. So we were only 20 feet from the high powered lines. If you read the utility Arbor association, which is national, it states very clearly you cannot work on any part of the utility lines unless you are a qualified line clearance because you are within three feet of -- of safety of killing yourself. So we had to follow all regulations. We went around and everything, but then he told us not to cut anything that was through the lines because that was part of Wright's tree service. But they did pull us in for over two -- I think two and a half years to solve all their problems. But at the same time we were also doing San Antonio, but we didn't do the CPS, the city public services. We did their lines and we did all the make-ready and everything else. Now, it is true -- you know I am an ex firefighter, I was in the 911 communications for over 10 years. I was the rappelling instructor for the Austin fire department. I was on also the emergency safety instructory deal with the paramedics and the emts. Yes, I have rescued people off the sky scrapers, jumped off of helicopters and we have a full training facility where we follow everything in the international society of Arbor culture to cover every one of these employees. Now, who trains our cpr? The Austin fire department trains my personnel. I pay them to come in to train all of them for emergency service and everything else. They have to go through a if the R. Full almost two to three weeks before they can even start pulling brush.

[4:37:56 PM]

I know you have ground then, but to me it's not safely enough. I need them to understand everything up there even they they don't go two feet off the ground. I take safety to a high level because of my background with the Austin fire department. And as far as filling out the application and everything, my brother is also a utility arborist lineman and he's registered, also certified arborists of all sorts. But what we put in there I thought it was very understandable, but I've never worked directly for the city so I didn't understand how to fill all that stuff in. We tried to fill and cover every aspect of it. The truth is yes. As a matter of fact, three of my main foremen went to work for Wright tree service and they're running their lines. They didn't train or nothing. They just went straight to the lines because they were so advanced. So I have trained many, many people, not only in Austin, but all of central Texas because of my background and I've been doing it for 33 years. So that pretty much explains as far as safety, as far as medical, as far as every precaution we do. I have a training facility on an acre of land with major trees and everything and lines cut across, aerial buckets and everything, so they can teach and train. And they have to work months before they can even think about getting above the ground. And that's the way we run our company.

>> Further discussion on the dais?

>> May I just add one point? I just want to clarify that all of this information was in fact included in Mr. Garcia's submission. His training was included. Everything that he just spoke about was included in his submission. Absolutely, yes, ma'am.

>> Mayor Adler: Ms. Kitchen?

>> Kitchen: I'm sorry to put you all on the spot like this. It's unfortunate that we have to have the conversation like this, but I'm really trying to understand the matrix, the scoring.

[4:39:59 PM]

And I have -- I can understand the experience part. That makes sense. I understand the concerns about that. But I -- and the pricing in that. But I don't understand the disparity in scoring and the technical criteria.

>> Yes, ma'am, thank you for asking that question because during our debrief with Austin energy, the response that they provided us was that Mr. Garcia scored so low because he didn't list fact that he has a gps in his vehicle, because he didn't list the fact that he had cell phones with all of his employees, because he didn't list the fact that he has scanners with his -- literally that's what they told us and that's why he scored so low because he didn't list those things that he thought were obvious, right, but he did include all of the photos, he included his entire training booklet, his entire training packet of how he trains everybody. He included everything about his real high speed up to date technology, but didn't include cell phones, didn't include gps systems in his vehicles, which he clearly obviously has his brand new vehicles, all of the vehicles that he has were submitted, all of the photos of the vehicles were submitted. And in 2016 vehicles they all know what they needed. So thank you for asking that.

>> Kitchen: Thank you. The backup doesn't give me the breakout of the scoring. Can you speak to that question also.

>> Yes, I can. I can stated that we did review the information by all of the vendors that bid. We looked at the safety information, the safety programs that were presented by each of the vendors. We looked at the training and the background of the employees. We looked at the trucks. We looked at the facilities. We looked at their information that was provided about various chemicals that they might use. And as you can tell from the scoring there was a stark difference between the various providers in terms of the levels of expertise of the various vendors.

[4:42:07 PM]

>> Kitchen: So from your perspective, the lack of including information about cell phones and other things like that was --

>> That really -- that would not be an issue that was the most important. There wasn't a lack of information. There was information about their safety programs, about the training of their individuals, and there was a wide disparity between the experience level and the safety programs of the various companies. So there was sufficient information to evaluate those programs and the decision was based on the relative merit of each of those programs.

>> Kitchen: Thank you.

>> Mayor Adler: Ms. Garza and councilmember alter.

>> Garza: Mr. Scarborough, did you say earlier that all of the four listed here met the minimum standard, is that right?

>> That is correct. We received five proposals, and of the five, four of them did meet the minimum standards. That's actually a point that I wanted to clarify. The fact that a company would have sufficient experience and technical approach met the minimum standard would mean that they would receive a score and a completed evaluation. To the extent that it was not a higher score would reflect the difference. The qualitative difference between that proposal and that part of the one proposal and that part of another proposal.

>> Garza: So is part of being able to meet the minimum standard include a minimum safety standard?

>> Among other things, that is correct.

>> Garza: So all the four companies here have the ability -- my assumption with saying that they meet the minimum standard means all four of these people could do the job.

>> To the extent that the evaluation committee did not find their response less than the minimum qualifications, then that is correct. The differentiation of a higher core would be a higher perception or determination by the committee that one company is more experienced or more qualified than another company.

[4:44:18 PM]

So that would explain the point differentiation between the two.

>> Garza: And safety is always a concern. Obviously. And I just lost my train of thought. Oh. Is part of the soliciting process include asking for like safety data? And not so much are they trained to a certain level, but how many accidents has a company had or how many major accidents, is that included in the information that's requested?

>> The kind of information that we use to determine the qualifications, the experience or the safety record of a company will vary depending on the scope, type of contract. So based on the business requirements of Austin energy, we ask for its types of experience they thought would be meaningful to the evaluation committee.

>> Garza: Okay. And I'm uncomfortable replacing this company with this company. If council wanted to award -- the two quadrants into three quadrants, would that require a resolicitation?

>> The way the solicitation was structured and what the offerers base their proposal and pricing on was two Zones. So to contemplate something other than two Zones would be inconsistent with the competition therefore we wouldn't necessarily be able to rely on the proposals and the pricing that we received. So it would be significant negotiations and perhaps a legal risk so we would recommend if that was the case that we would change the scope of the contract and resolicit.

>> Garza: Okay. I also want to say for the record although I'm a former Austin firefighter I do not know Mr. Garcia in case anybody is wondering. I know I've talked a lot so can I make a motion now or do I need to --

[4:46:25 PM]

>> Alter: Thank you. I had a question. Part of what I'm hearing is if they had filled out the application a different way they would have scored higher. If you had had the information that was presented today is it your understanding that the scores might have been initiate. I know you didn't have the information and this then you have to do that and there's an anti-lobbying ordinance so you can't do those other things. I'm trying to understand if materially anything would change from the information that was heard today potentially?

>> Councilmember, it's kind of hard to respond for a hypothetical that really couldn't exist in Normal operations. Some of the as certiytations made by the speakers were not able to be made by the recommended companies or the other company that was not recommended. I'm certain that they would have lots of positive things to say about themselves and possibly negative things to say about each other. Unfortunately that's the nature of competition. When we do solicitations, one of the natural by product is -- many times is unhappy offers at the results. But in this case we are obligated to bring forward a process as prescribed by state law in accordance with city policy and following the process laid out in the solicitation. Although we very much especially pa size as your neighbors and residents here as well, we're only able to bring forward recommendations that are our status and policy and procedure allow us to bring forward. So to the extent that we make a different recommendation would be taking a significant step outside of our lane. So our recommendation is based on the findings of the evaluation committee and the analysis that they performed. And to the extent that that doesn't meet the council's policy expectations, we certainly invite your policy and direction and we can apply that to future processes.

[4:48:30 PM]

>> Alter: I'm sorry to have put you in an uncomfortable position. Let me maybe ask a different way. If we were to say that we wanted you to go back and allow them to submit more information and then rescore it, you would obviously have to let all the applicants add more information to that. How would we do that and what would be the down side of doing that operationally in terms of this contract not being made now and how long would it -- how long would the delay be?

>> Councilmember, I would actually recommend that we resolicit entirely. At this point the -- as the speakers have referenced and based on our past exchanges in terms of representation, a fair amount of gtt's proposal have been discussed and made publicly available. If we went back to all the offerers and asked them to revise their proposals they would be doing so in the knowledge of the context of gtt's proposal. So to maintain a level playing field, if we were going to go back to the market, so to speak, that would be best done under a new solicitation.

>> Alter: And would it be possible to have a gap of that solicitation, somehow available for the potential bidders to review before it's issued so that we might be able to address some issues along the lines of what we're hoping to do with the adjustments recommended for Austin resource recovery?

>> While it's possible and I have experience with that in my career, releasing a draft document, draft solicitation or draft scope of work has its drawbacks as well. Ultimately persons contributing to the requirements of the government, adding or removing or changing the contents of solicitation, really shouldn't have a benefit in any resulting contracts. Typically they'll make recommendations that will be beneficial and perhaps challenging the other offerers and what have you.

[4:50:37 PM]

But with every solicitation we are required by the state and common practice to leave the solicitation on the street for a set period of time. Typically welcomed that period of time. We use that period of time for a number of things. One it is to make sure that the market understands our requirements, a chance to ask and answer any questions about those requirements. And perhaps modify those requirements if there's a concern about whether or not think promote competition or if they are unduly restricted or what have you. This solicitation like other solicitations were on the street for at least the minimum period of time and typically longer. And during that time if there's perceived challenges or limitations or unduly restricted specifications or any ambiguity with regard to what the city asks in the form of the deliverables, the offerers have a chance to provide us that feedback and we have a chance to make that change.

>> Alter: What would be the consequences to Austin energy if we did not authorize the negotiation and execution of the contract today? And you can go through that process of reauthorizing it.

>> We would extend beyond the term of the current contract and be without support for some period of time.

>> Alter: So that contract is --

>> That's right. And this work is not only the work that's done just as part of our routine trimming cycle, but it's also in order to enable our line workers to be able to work on our lines. So they get out ahead of not only scheduled work, but also any emergency work that's necessary. So we can't suspend trimming and continue to operate safely.

>> Alter: Mr. Scarborough, we talked about this with Austin resource recovery that it puts us at a very ununfortunate position when contracts come to us for negotiate and execute and there's no leeway. And I know that you have some thoughts and ideas about how to remedy that in the future, and I would ask the city manager and your department to keep that in mind so that we have the flexibility that we need.

[4:52:50 PM]

It makes it very difficult for us when we come up here and have to make these decisions and, you know, the next day there's no contract. It's an unfortunate way to make decisions.

>> I appreciate your comments, councilmember, very much. When we bring an item forward, we only do so when we are confident that it meets legal policy and procedural requirements. If we had questions we would not bring it before you. In this context if there were concerns with how the evaluation was conducted or any concerns with the process that is why we have the ability to receive and consider protests. We did receive a protest from gtt. It was submitted very late. But in reviewing the contents of the protest I couldn't find that there was evidence of a legal or factual error. When we met with him again this past summer we reminded them that after discussing the context of the evaluation, should they hear any information that they felt created the basis of their protest that they could file it again and we could handle these matters administratively without bringing it before the council. That's not our desired approach and not what we attempted -- we understand this is an awkward situation for you. So we were very willing to consider another protest, but it was not received. So that is why we are before you here today.

>> Houston: So Mr. Scarborough, would you help me remember, we were at the same point in may, in may, right? The same contract came up in may. So what was the decision at that point and that got us back to this same point in August?

>> At the may -- councilmember Houston, at the may council meeting, speakers brought forward a number of concerns. Some of them were conveyed in the protest and many of them were not.

[4:54:52 PM]

So we wanted to look into those concerns and see if there was anything that we missed or if there was anything that we could further clarify. They requested a debriefing. We provided them the debriefing, but that was the reason for the postponement was to look into the concerns that was raised at the may council meeting.

>> Houston: Thank you.

>> Mayor Adler: Ms. Garza.

>> Garza: I would like to make a motion to resolicit this -- make a motion to resolicit this contract and break it into three quadrants?

>> Mayor Adler: Three sections?

>> Yes.

>> Mayor Adler: It's been moved to rebid the contract into three sections. Is there a second to that? Mr. Casar seconds that. Would you like to speak to it?

>> Garza: I understand Mr. Scarborough's frustration with us right now. I totally understand it. At the same time I think this provides an opportunity to -- it doesn't show any favoritism. It's picking one

company over another. It's saying -- it's giving one opportunity to owe for all and any companies to resolicit. It encourages low bids because only three are going to give it. And I think that the concern with Austin energy -- I understand their frustration with us too, or me. What I heard was we don't split it up to less than two. It's not that we can't. So I think that we need -- I appreciate how we'll look at this again and how council members are going to work with each other to change this process to make it more friendly for small business, but if we can do something now and I think we can with this to reduce that obstacle, I think we should try.

[4:56:58 PM]

>> Mayor Adler: Manager?

>> I'd like Austin energy staff to address the operational issue of why you need a north sector and a south sector and what the introduction of a third vendor in that operational arrangement -- how that would affect operations, how you would handle that. And I know this is off the cuff, but if you can give me your best estimate.

>> With the forestry group at Austin energy we're divided into two divisions of our workforce and each of the distribution coordinators track the work of the company that they track. We follow-up with our customers and confirm that the line clearance plans are confirmed with the customers and to split it into three contracts would require additional staff in order to monitor an additional contractor. So it would have a staffing impact on Austin energy.

>> I would add from an operations standpoint, we do run a 24/7 control center. How we're currently configured, and just in regard to understanding, familiarity, the coordination aspect, that would also be an impact and change in regard to how to divide that and then how to dispatch both safely and effectively.

>> Mayor Adler: It's been moved and seconding. Discussion. Yes? Mr. Flannigan.

>> Flannigan: I'm concerned about us taking this step. Adding a third section, and Mr. Scarborough, you can briefly confirm if my analysis is correct, if there were three sections under the responses we got, the folks present today would still not get the contract.

[4:59:02 PM]

>> That is correct.

>> Flannigan: So I'm concerned because we appear to be making some very specific and political negotiations on a purchasing contract beyond the scope of a policy conversation, which I feel is the mandate for council. I -- as I've said before, as a small business other than, I really empathize with the frustrations of the government contracting process. I have in my 20-year history as a small business owner, I did a for your recollection then stopped doing them altogether because they weren't consistent with the size and scope of my own business. But if we want to have smaller business have better opportunities, we need to be thinking about this in a policy level, not just an individual contract level.

And to the mayor's point, it opens up on some level a Pandora's box, that every solicitation we get, if you can sufficiently make your case at the dais, we're going to undo a longstanding set of policies around purchasing. I don't know what legal boxes those open. I don't know if it gets us into trouble in other ways. I wish there were way for us to have more input as a council and -- as representatives of the community in this process. This is not the moment for that to happen. The right moment is something we need to figure out as a policy matter. When is the right place for council to be involved, either in the definition of rfps, the scoping of rfps, developing the matrixes, at what point are problems introduced, when you introduce more political activities into what is essentially supposed to be purchasing, we need -- at some level, the charter demands that we respect the professional work our staff does. I certainly am in no place to say that three actions have is going to be that significantly better or significantly worse, although I do echo councilmember kitchen's concerns about the definition of technical competence and the two scores that were dramatically different for this vendor.

[5:01:14 PM]

But these are policy conversations, and I am entirely uncomfortable with making this decision so quickly and on so narrow a focus when we really need to be having this at a broader level.

>> Mayor Adler: Councilmember pool, and then alter.

>> Pool: We've been trying to make room for our minority contractors for a really, really long time. The committee that looked at economic opportunity that we did away with when we came back in January and reduced the number of committees that we had, that was one of the major concerns that we had, trying to break open the procedures to create enough goals so that there was enough work to share with the smaller, home-grown minority-owned and women-owned businesses. This isn't the first we've tried to crack this. This is a real opportunity to make some progress on that. I'm going to stick with my colleagues -- councilmembers Garza and Casar with the motion. I think that saying that just because we don't have staffing at Austin energy, or we are not currently set up for a three -segmented city isn't a strong enough argument not to do it. The city is growing, and maybe we should be divided into three or four sectors in order to accommodate all of the work that clearly needs to be done. And our trees are an incredibly valuable resource, and they have to be pruned properly. So this is a chance for us to make some real progress on our minority contractor goals. We could do this today.

[Applause]

>> Mayor Adler: Councilmember alter.

>> Alter: I had a follow-up question for what I was talking about before.

[5:03:16 PM]

Can the current contract be extended to allow time for rebidding, or are we in a situation that will be unsafe for our community because we won't have a contract to trim the trees on our utility lines?



>> Councilmember, the current contract is on a holdover as a result of the postponement of this item from the may agenda. So our contracts allow for provision to hold over the contract beyond that period, based on bilateral agreement. So the first holdover is unilateral. We just tell the contractor we need to extend. 80 holdovers beyond that would be bilateral so we would be subject to new pricing, new terms, and so forth.

>> Alter: And how long would it take to do the rebidding process?

>> This particular solicitation went on the street several months ago. I believe it was back in 2016. So we would contemplate, if we expedited, we're still talking probably about six months, but that's -- that's expediting. One point of clarification regarding the motion, if the desire of the council is to resolicit, then we would need to include in the motion the rejection of all bids that were submitted in response to this solicitation.

>> Mayor Adler: Ms. Kitchen?

>> Alter: I had a question.

>> Mayor Adler: I'm sorry.

>> Alter: Is another option to make the contract for 12 months instead of 24 months?

>> I appreciate you bringing that up because the time it may take to create the new solicitation with the new business approach that the customer will have to kind of wrap their head around and figure out how that's going to work, put the solicitation on the street, receive feedback on it, receive offers, evaluate, then put it before council, we could be well into a year, six months, again, if we expedite, longer, if unperceived things come up.

[5:05:21 PM]

The term of this particular contract is 24 months. So one possible option is that council will only authorize 24 months with direction to resource it.

>> Alter: Authorize it 124 months.

>> Alter: Could we authorize 12 months?

>> That wasn't contemplated by the offers. So if council authorizes a shorter period of time, it would be inconsistent with what the offerors responded to, so it's subject to additional negotiations with them.

>> Alter: Are there any other options that, from your expert position, we should be considering, given the concerns that have been expressed on the dais?

>> I believe we've touched all the options available to us.

>> Alter: Thank you.

>> Mayor Adler: Ms. Kitchen.

>> Kitchen: If I'm understanding correct, I just wanted to understand what council member alter was asking. So the option of reducing the contract time frame to a year with the direction to reevaluate the criteria and come back after that time with criteria that might be more -- more directed to the concerns that we have about equity and removal of barriers, so are you telling us that that's not an option to do that?

>> The offerors that responded to this solicitation did so based on the assumption that the initial term would be two years. So if we -- if council awarded for another period of time, then there would be subsequent negotiations necessary to make that happen.

>> Kitchen: So, in other words, you could do it, you would just have to renegotiate the pricing.

>> With regard to things that you can do under a contract, some of them are straightforward and allowed; other things, they incur some risks.

>> Kitchen: Uh-huh.

>> So I generally try to be very cautious --

>> Kitchen: Sure.

>> -- When recommending activities that were outside of the stated intent of the solicitation and contract.

>> Kitchen: Okay. If I'm hearing you right, then, theoretically, anyway, it would be a matter of renegotiating the rights, if we just approved it for a year, but because you haven't had the opportunity to actually really look at the contract, you can't say for certain.

[5:07:34 PM]

Is that what I'm hearing?

>> To discuss that option with the offerors.

>> Kitchen: Right.

>> Gtt put in their offer based on the assumption of a two-year initial term. All the other offerors put in a proposal based on the assumption of two years.

>> Kitchen: I understand that. But what I'm saying is that, yes, I understand it would require you to go back to the offerors, if it was approved -- if we approved for one year instead of two, and that would likely require them to rethink the dollar amount of what they offered. But I guess I'm just asking if that's possible. And if I'm hearing you, you can't -- theoretically, it is, but you can't really say it is because you haven't had a chance to review the contract?

>> If you were a customer and you asked me that question, I would want to confer with my colleagues.

>> Kitchen: Got you. All right.

>> Mayor Adler: Okay. Mr. Flannigan.

>> Flannigan: I think it's important to acknowledge that this is not an opportunity to achieve goals. This is a circuhvention to achieve goals. You don't address it by fixing the structure just because previous councils have tried and failed. We might as well just form a task force and then do nine months of meetings, and then ignore their report. If this is how we want the city to do its contracting, then we could save a lot of money, I'm sure, by cutting the staff of the purchasing department and other staff in other departments and just let every contract be debated and decided by this council, although ultimately I think that would violate many laws, to go down that road. This is no way to solve this problem. In fact, doing this makes it harder to solve the problem because it sets up the precedent that says you don't have to fix the structure; you can just find political solution ad hoc on a case by case.

[5:09:41 PM]

That is no way to set policy, it is no way to govern, and in my opinion, it violates the charter that separates these decisions and policies from the administrative processes that should be implementing them. I empathize with the vendor here. I really do. But this is not the way to solve a structural problem.

>> Mayor Adler: The motion on the dais is to rebid the contract, broken into three pieces.

>> Could I comment about that? In regard to the three Zones as well, I really would strongly encourage you to allow staff to evaluate that before it moves forward, if we didn't move forward with the recommendation that staff has, if there's complications to it, I think at least it deserves an valuation by staff before -- before making the decision that's absolutely three Zones. That may not operationally be the best thing for us, for the city, and for our citizens.

>> Mayor Adler: You know, I'm uncomfortable drafting a days. In the absence of a contract going through, I think it would be better off postponing this for two weeks, rather than craft something at the dais. I would vote to let it go through.

>> Kitchen: Mr. Mayor, I'll make a motion to postpone for two weeks.

>> Mayor Adler: Okay. There's a motion to postpone on top of the amendment.

>> Kitchen: The reason I'm making the motion is because I think that everyone on the dais is trying to come up with some solutions. I'm hearing what the staff is saying, that solutions need some time for some consideration. I think postponing it for two weeks gives us all time to figure out how we might do this in a different way, if possible. So rather than trying to craft that right this minute on the dais.

[5:11:42 PM]

So that's the motion I'd like to make.

>> Mayor Adler: That's in order.

>> Kitchen: Is it a substitute motion, I guess?

>> Mayor Adler: It's an order to postpone on top of an amendment.

>> I'm sorry?

>> Houston: My question to Austin energy, was two weeks enough to give time to do what you all need to do internally?

>> I believe so.

>> Mayor Adler: So there was a motion to ask that contracts be dismissed and to investigate it. On top of that there's a motion to postpone, which is in order. Motion to postpone for two weeks is now in front of us. Is there a second to the motion to postpone for two weeks? Mr. Renteria seconds that. The question is now should we postpone this matter for two weeks. Mayor pro tem.

>> Tovo: This has been a very complicated discussion, and I agree that I am -- I am also -- I share a lot of the concerns that have been raised by all of you, but I am really concerned that we are now treading into operational issues that are not the -- are not the parameter, are not under the umbrella of council, though I understand the reason why. So I hope we can figure out how to address -- how to address the situation in a different manner in the next couple weeks. Can you help me, though, understand exactly what the impact would be? We have a contract, it's on hold, if you can continue -- it's on holdover, rather. You can continue to do a holdover until this issue is resolved, with the understanding that there may be -- you may need to renegotiate some elements of it? Is that the situation?

>> Mayor pro tem, that is accurate. I would have to consult with my staff to see how much remaining authorization there is on the contract and when it expires exactly. But I believe that we do have a little bit more --

>> The only thing -- the contract -- the holdover expires September the 18th.

>> Tovo: So we have time.

>> This current contract has the previous living wage in it.

[5:13:43 PM]

So the new contract would have the more current living wage, which I know is something we've been trying to do.

>> Tovo: Yeah, that's certainly something, we want -- we want to get the new living wage within there, so we don't want to continue to operate under a holdover, but we do have two weeks, sounds like. All right. Thank you.

>> Mayor Adler: Questions on the dais is to postpone for two weeks. Yes, councilmember alter.

>> Alter: I am I'm just wondering if the city manager might think there's some value of our staff talking over the break, if there's more information we need. I'm just not sure what we're going to get in two weeks that's going to be any different than what we're hearing today. And I'm uncomfortable with the move over to operations. We're asking our staff to think on their feet right now. We're very close to the dinner break. I'm just wondering if there would be any benefit of them having a little bit of time to think, or for the city manager to consult with them to provide options for us and not really -- I'm not really sure what changes in two weeks if we have the same conversation. But I just wanted to invite that as a third option into this.

>> Mayor Adler: So I think the question in front of you is do you want two weeks or six weeks. Is two weeks better? Is six weeks better than two weeks? Do you want to come back in two weeks or do you want to come back in six weeks? You hear some of the angst or concern on the council. You've got a council that is divided, so I'm not sure you're being told any one thing in particular, other than to respond generally to the angst that you hear with the suggestions that have been made.

>> My comment regarding -- was whether or not it would be feasible or what would be the right direction in regard to how to divide the city. So we currently are structured, and as Ms. Gross stated, we are staffed to handle a two-so then two -- a two-zone situation.

[5:15:50 PM]

To evaluate whether it would work to increase the number of Zones, that's something I believe we could do in two weeks. I would state that I don't think that substantively what would change is going to be regarding the evaluation and where staff sits as far as a recommendation moving forward. We -- we believe that the same two companies would be the ones recommended, and that's -- that would be our position moving forward in the rca, two weeks from now.

>> Mayor Adler: I imagine you could also do three Zones and not make them equal sizes, you could have one zone in the north and two Zones in the south, or vice versa, then it would fit within your current staffing structure.

>> We would have to evaluate it, mayor.

>> Mayor Adler: Yeah. I just don't know. You don't necessarily have to create a zone that's not --

>> Understood.

>> Mayor Adler: All right. The motion is two weeks. What I understand from you is that six weeks doesn't give you much more than two weeks is going to give you. Yes.

>> Just an additional clarification, mayor, members of the council. If we go forward, in your discretion, resolicit with three Zones, four Zones, we're not necessarily going to be able to guarantee that that's going to meet any policy expectations. And right as we sit, we would go out with the same process, we're under the same statutes, the same city policies that exist now unless something changes between now and then. So to establish your expectations, we may indeed, if operationally it is feasible, to have

more Zones, in addition to the two that they're used to operating with, that does not mean that there will necessarily be a different outcome. So I just wanted to make sure that you knew, I can't -- I can't commit to a different outcome without a new or unanticipated policy or policies that would allow us to execute that outcome. We have what we have. And the recommendation before you is based on what we have.

[5:17:54 PM]

>> Mayor Adler: Okay. Ms. Troxclair.

>> Troxclair: And, Mr. Scarborough, I know councilmember alter asked you a question earlier that was hard for you to answer about, you know, new information being brought to light, but are you still confident in your recommendation that you've brought forward in light of all the conversations that happened today?

>> Sure. This is a Normal part of my role. I -- our office does hundreds of solicitations on an annual basis. And I'm not directly involved in them, but I have to look at them from a regulatory perspective and from a compliance perspective with policy and procedure set forth both in our internal procedure and the procedure set forth in solicitation. And if the procedure was complied with, policies were complied with, statute is complied with meets the operational requirements of the customer, and it's within their budget, then I'm satisfied with the recommendation of the evaluation committee. Again, we have controls that allow for offerors to challenge our recommendations, and had that occurred in this case, we could have dug into some of these issues. But we heard them for the first time at the last council meeting, and we're hearing some of them again this time. But we -- the administrative process to address challenges was not -- was not pursued beyond the first submission, which was late and did not contain substance.

>> Troxclair: So are you confident in the recommendations that you're making, still? Still as confident right now as you were when you brought them to us the first time?

>> Based on everything I've seen and know, I am.

>> Troxclair: Okay. And I heard your colleague state earlier that it wasn't for a lack of information that you -- had the information you needed to review and that you made a decision based on that recommendation. So I just -- I don't understand -- I mean, if we wanted -- I guess I'm just agreeing with councilmember Flannigan, if we want to Change the policy, we need to change the policy, but a postponement of two weeks doesn't -- doesn't get us anywhere. And although I, too, am sympathetic with someone who applied for work and didn't get the work, we have a policy in place for a reason, and we expect -- it's by design, we can't -- we can't award contracts to every solicitor every time.

[5:20:13 PM]

There has to always be companies that get the solicitation and companies that don't. And if we are if we set the example that you go receive the solicitation, you come and, you know, you talk to council and staff still stands by their recommendation, I mean, it just -- I do think that it sets a bad example going

forward. And I don't know if they're prohibited by law from talking to us, but I feel like we have only heard the two applicants who are -- who were expecting -- who you are recommending to receive this solicitation. We haven't heard from them. They're not here. I don't know if we're even allowed to talk to them because of our rfp rules. But I mean, they haven't had the opportunity to defend themselves and to defend their work. So if we're going to continue down this path, then it's -- then we're also requiring - I mean it's already -- it's already time consuming, complicated, and expensive to do business with the city in the first place, but we're grateful to the vendors who do decide to contract with us. But to ask for even the people who receive the solicitations, for them to constantly feel like they have to come to council on multiple occasions to possibly defend themselves against people who didn't receive the solicitation, I mean, it's just not fair, and it's just -- it's just not the role of this body. So I'm not going to support the postponement for two weeks, and I hope that the council decides not to. If we're going to change something going forward, then we should do it, but this is not the right way.

>> Mayor Adler: Ms. Garza.

>> Garza: I'm inclined to not support a postponement, but I just wanted to add that I think we should make a decision today either way. And if this postponement is -- and I'm not sure I'm right on it -- if it's passed, like the mayor said, you could do four quadrants.

[5:22:17 PM]

What's easier, if it's one person handling each big contract, why can't that person handle two contracts? I just -- you know, help us be creative in ways to do this in a way that it is within Austin energy's budget and staffing. I also want to disagree with this -- these concerns that we're setting precedent, and this is out of the norm. We do this all the time. We've done this with the Austin energy contract. It was a proposal for a third party -- I don't remember what -- we changed the decision. We rejected one and we took the other. We do this all the time. With the gen plan, staff recommended a certain thing, there was a task force that recommended something else, there were stakeholders that recommended something else, and we made the decision. With atd, with connectivity, staff will recommend, yes, that should be a cut-through street, then we say no, it shouldn't be a cut-through street, we don't want traffic. This happens all the time. If you agree with staff's recommendation, you say this is an operational thing and we shouldn't do it, but you can make the argument why it's a policy issue. We're in a very grayish here. We as council sometimes listen to staff, and sometimes we don't listen to staff, and that's what we do. And sometimes it's political. Guess what. We're elected officials. It's politics sometimes. And I think we have a duty to listen to everyone. The same could be said for the city manager's budget. She's proposed a budget, but look at all these people here that are going to speak about what they think is important in that budget. Do we say, no, the city manager recommended this, and this is what we're going to do? No. We take that recommendation and we listen to everybody else, and this is no different than that. So --

[applause]

>> Garza: I just needed to add that, and I don't know what I'm going to do about the postponement.

>> Mayor Adler: Motion on the dais is to postpone for two weeks. Further discussion?

[5:24:18 PM]

To those in favor of postponing this for two weeks, please raise your hand. Mayor pro tem, kitchen, pool, Houston. Those opposed? It's the balance of the dais. The motion to postpone fails. And council member Casar was off. There was only four votes. Motion to postpone does not pass. We're now back to the motion to reject the contracts and rebid in three sections.

>> I guess I'd like to change that, if it's easier to do four or whatever is operationally better within Austin energy, I want to leave that part open, but I think we need to go beyond the two.

>> Mayor Adler: If there's no objection, the motion would be changed to reject the offer, rebid the contract in more than two Zones.

>> Understand.

>> Mayor Adler: Ms. Kitchen.

>> Kitchen: [Off mic]

>> Mayor Adler: Okay. No objection, that changed. Now the motion is to, as we just said. Any further discussion? Those in favor of the motion, please raise your hand. Pool, Renteria, Casar, Garza. Those opposed, please raise your hand. The balance. It does not pass. Is there a motion to approve the contracts? Troxclair makes a motion, seconded by Flannigan. Any discussion? Yes.

>> Alter: Can we approve it so that there's not the option without coming to council after the 24 months?

>> Mayor Adler: Yes. Any objection to making that the motion? Has it return back to council for 24 months, instead of an automatic renewal, the renewal would come back to the council for consideration. Mayor pro tem.

[5:26:19 PM]

>> Tovo: There was an idea floated a little earlier to do it after one year. What about that?

>> Mayor Adler: The problem was, is that these people have bid on the contracts for a two-year period of time, so they can't award a one-year contract.

>> Tovo: No, no -- is that accurate? I thought that it was --

>> Mayor Adler: You want to check with lawyers on that?

>> Tovo: I didn't understand that answer as that. If I could ask our staff to clarify. Is that accurate, if we change the time period to a one-year contract? Is that do able under our current posting?

>> We typically would award the contract as increments as stated in the contract. If we're going to contemplate different increments, typically we'd like to check with law just to see what our position is.



>> Mayor Adler: I guess every contract is a -- after end of year is subject to not being renewed.

>> Good afternoon, mayor and council, I'm licensed city attorney. The posting language would allow you to award the contract as a 12-month contract. The bidders, the respondents are bound to the terms of their response, on the contract, so there would be no guarantee that any of the respondents would be obligated to contract at 12 months or they'd be willing to. That would be negotiation; there would be no guarantee on the time frame.

>> Tovo: But they haven't signed -- I mean they've not entered into a contract yet anyway. Right?

>> Mayor Adler: That's correct.

>> Tovo: So at this point, they're not obligated to do it for 24 months.

>> Mayor Adler: They're just not obligated. Ms. Kitchen.

>> Kitchen: Yes. So what I'm understanding is that if we propose a year to go back to them, we tell them that's what we're proposing, they can say we're not interested or they can say that we are, but we want a different price. So it's a negotiation at that point, if I'm understanding correctly.

>> If I may add, the amount listed in the posting language may limit the ability to negotiate the contract as well on a 12-month basis.

[5:28:22 PM]

So if the respondents which back and change their pricing, we may be limited by the range currently in the posting.

>> Mayor Adler: Okay. The motion on the dais is to approve the contract. Any further discussion?

>> Is it to approve the contract for 24 months, with coming back to council before the optioned --

>> Mayor Adler: Coming back to council within 24 months. Those in favor, please raise your hand. Those opposed? Pool, Garza voting no, others voting aye. Renteria abstains. It passes 8 to 2 to 1. Thank you. We have a lot of people that are gathered. We actually have a fair amount of items here to still, you come up, but at 5:30, we break. Council, we have what looks like now being a hundred people nearly signed up to speak on the budget. The first 20 people will be allowed to speak for three minutes. If someone is donating time to speak, they would be able to speak for two minutes. And we would do that until we exhausted that first 60 minutes. Then thereafter, by our rules, people would speak for a minute. We have one, two, three, four, five, circumstances seven, eight, nine, ten, eleven, twelve more items on our agenda. But only that one has that number of people to speak except for item number 72 sign regulation matter.

[5:30:26 PM]

The others don't have very many people. I would suggest we come back -- we're going to do this, 5:30, citizen proclamations. We can come back at 6:30, 6:45. 6:45 probably is more realistic. Councilmember kitchen.

>> Kitchen: I just want to let my colleagues know I have a personal matter that I have to attend to so I will not be back after dinner. I wanted to let the public know that I will be watching every minute of the public hearings. Thank you.

>> Mayor Adler: Mr. Flannigan?

>> Flannigan: If we can take up 48, it will be quick, then staff can go home because I have a couple of questions but I don't think they'll materially impact the vote.

>> Mayor Adler: Okay. If we can take care of a couple before dinner, let's try to do that. 48. Mayor pro tem?

>> Tovo: I was going to ask the same thing about the aquatics master plan. I can't remember at this point whether it was pulled because I had a very quick amendment or whether people had questions about it.

>> Mayor Adler: Let's see if we can handle this. Item number 48 has no speakers. Mr. Flannigan?

>> Flannigan: Yes. Very quickly, this is a program that the city provides in partnership, or exclusively with schools in aid. Is that right?

>> Good evening. I'm Jessica Wilson, education manager for the watershed protection department. This contract is for buses that are the camp program, which is directly with aid.

>> Flannigan: I'm sorry for just jumping right in. But my understanding after doing some Q and a is that the program is funded and to the extent it can't reach every aid school, so there is a process by which those schools are selected. Can you briefly help me understand what that process is?

>> That's correct. This is one of our five programs that we've begun this program. This is specifically for title 1 schools. We reach about 30 out of the 55 schools within aid that are classified at title 1. We work with aid's science curriculum specialists, and they look at the test scores from the fourth grade students, who are moving into fifth grade, to determine which are the low-performing schools in math and sciences.

[5:32:34 PM]

We then use that information to select the schools that would participate in the program for ten spots, and then we fill the rest of the spots with schools who are previously selected, but have now had teachers who are trained in the curriculum, so we call it teacher Earth camp and they can participate, but we use slightly less staffing for that.

>> Flannigan: I see. And is there something structural to the process that would eliminate the ability for title 1 schools outside of aid to participate?

>> At this point, the program has just been offered to aid. It's in its 21st year, and so the agreements that are in place have always been with Austin aisd. However, we would be open with additional resources to expanding to title 1 schools in other ISDs that are within city limits.

>> Flannigan: So if there were title 1 schools that were lower performing than the 27 to 30 schools in aid, that's not an option. What I'm hearing is that the only way to include additional title 1 schools, regardless of their performance levels, is to increase the budget of the program.

>> At this time, that's correct.

>> Flannigan: All right. Well, I'm not going to support the item as per my usual process of not supporting items that only contract with one school district. But I'll let someone else make the motion.

>> Houston: Mayor I just have one question.

>> Mayor Adler: Motion to approve -- Ms. Houston?

>> Houston: Could you send us all a listing of the past four years of the schools you've contracted with?

>> I be happy to. Would you be interested in other programs surrounding aisd, too?

>> Houston: I think councilmember Flannigan would be interested in that, and I would, too.

>> I'd be happy to provide that. Thank you.

>> Mayor Adler: Okay. I move adoption of item 48. S had Houston seconds. Discussion? Those in favor, please raise your hand. Those opposed, troxclair and Flannigan voting no, the others voting aye, passes. We have some public hearings set we have no one signed up for and there's no action taken tonight.

[5:34:37 PM]

I'm going to call those now for speakers. If there's not any, we can close the public hearing and move on. Let's begin with item number 59 -- I'm sorry, item number 69. Item number 69, I show no speakers. Is there a motion to close the public hearing on 69? Ms. Pool makes that motion. Second? Mr. Renteria. Discussion in those in a favor, please raise your hand. Those opposed? We're closed there. Item number 70 -- items 70, 71 -- 70 and 71 have no speakers. Is there a motion to close the public hearing? Mr. Casar makes that motion. Seconded, Mr. Renteria. Discussion? Those in favor of closing the hearing on both those, please raise your hand. Those opposed? Then the public hearing in those is closed. I think that gets us just to the -- we closed the hearing in both 70 and 71 by that motion. So we're going to have speakers on the four public hearings that remain.

>> Are there any other items?

>> Mayor Adler: No, the other items for 59 and 60 were just items for us to be able to discuss the budget and concept menu. I assume we'll pass on that then we have item 51, last one. Mayor pro tem?

>> Tovo: I see we do have three speakers on that item. I believe it was pulled not just because of my quick amendment but also because we had speakers, so I don't know how you want to handle that. I'm not sure if all three --

>> Mayor Adler: Let me ask the people who are here. We can approve item number 52, because it's going to get approved, if we do it without speaking, but if there's speakers, we're going to come back. I want to ask the speakers if they want to speak. Mr. King, do you want the speak on this? That's not an invitation to speak. If you're going to speak, we're going to -- if there are speakers that want to speak, I'm going to call it after dinner.

[5:36:42 PM]

So yes, you do want to speak? You want us to hold this till after dinner?

>> [Off mic]

>> Mayor Adler: Okay. Allen Pease. Do you want to speak? We'll pull this after dinner. Not a problem. It's 5:30. We're going to take a recess and we'll be back here at -- let's come back at 6:30. There's no proclamations tonight. We're just going to have music, then we'll come back.

>> Alter: Can Mr. King speak on that item if he wants to.

>> Mayor Adler: What?

>> Alter: Can Mr. King speak on that item if he wants to after the break, if he chooses to?

>> Mayor Adler: They're all going to. You want to come back at 6:15? Try that? All right. We'll try 6:15. If I'm not here, mayor pro tem, you can begin the meeting with the aquatics issue. Okay? We'll be back at 6:15. It's 5:37. We're in recess.

[Austin city council is in recess until 6:15 P.M. 15 P.M.]

[5:55:56 PM]

>> We are going to bring in live music into this space. And to have the performers we have. And if you sat and watched any of that city council meeting you can understand why it is that this is so important to for us to have a chance to have music. So joining us today is Leon deejay hella yella Neal.

[Cheers and applause] So after getting his start on the campus of houston-tillotson university, degenerative hella yella has accumulated many local, regional and national accolades, as a club tour, radio and mixed tape deejay. While playing many festivals such as south-by and X games, trimbua, jam bah lie I can't, it's missing some jowls in here. And opening for many a list acts, deejay hella yella has become a mainstream of Austin's partnership hop culture striving to keep the local scene alive. Please join me in welcoming dj hellaa yella.

[♪ Music playing ♪].

[5:59:05 PM]

[ Music playing ].

[6:04:41 PM]

[Applause]. Thank you so much. Give it up for dj hella yella. Give it up to the drums.

[Applause]. And I'm trimky of tricky music. Thank you so much.

[Applause].

>> Mayor Adler: All right. So somebody watching on here wants to hear you, where's your next gig. Where can somebody come find you?

>> The rooftop 10:00 P.M. To 12:00 A.M.

>> Mayor Adler: And what about right after that?

[Laughter].

>> Right after that -- Monday through Friday

[indiscernible] And Friday and Saturday night nine P.M. To one A.M.

>> Mayor Adler: And if somebody wants to find you on the web do you have a website?

>> Dj hella yella.com, all social music at dj hella. We have a proclamation that be it known that whereas the city of Austin, Texas is blessed with many creative musicians whose talents extend to virtually every musical genre. And whereas our music scene thrives because Austin audiences support good music produced by legends and our local favorites and newcomers alike. And whereas we are pleased to showcase and support our local artists now therefore I, Steve Adler, mayor of the live music capitol, do hereby proclaim August 17th of the year 2017 as dj hella yella day in Austin, Texas.

[Cheers and applause]

[6:07:06 PM]

[Cheers and applause]

[6:27:14 PM]

>> Tovo: In a minute or two we'll get started with our council meeting again. We'll start with the aquatics master plan item and then moving on to the public hearing with regard to the signs. So we're waiting for two more colleagues and then we'll go ahead and get started.

[6:30:46 PM]

>> Tovo: Okay. Good evening, welcome back. I'm mayor pro tem Kathie tovo. I'll be filling in for just a few minutes until the mayor comes back. We'll go ahead -- as I indicated we'll go ahead and start with item 52. We have our first speaker signed up to speak. This is an item to create a task force to survey the aquatics master plan. We'll go ahead and start with the speakers. David king, you are up first. Ms. Ellen Pease, you are up next. Mr. Kink, you are signed up for, Mr. Pease is neutral. And Mr. King, you will have six minutes. Welcome, Mr. King.

>> No worries. Thank you, mayor pro tem and councilmembers. I'll be real brief here. I support this item. I think it's important, but I know that we've done a lot of -- a lot of public meetings on our pools and so I hope we're able to use that work that's already been done in this task force to help facilitate its work. And I really appreciate the fact that we're looking at equity as it relates to geography and I think that's really important that we look at taking this opportunity to make adjustments to make these kinds of resources equitable across our city. And I really appreciate the priority and I hope -- I look forward to the task force, but I know that one of the bottom line issues that we have here is funding. It really is funding. And I know y'all wrestle with that. That's the -- a big issue for us here. So in terms of equity, I think dealing with it, not just geographically, but the way the city spends money and where it decides to spend its money and I know later on I'm going to talk about budget. But we spend close to 70% on our public safety services, which I know are priority for our city.

[6:32:46 PM]

I know it's important, but I think we need to look at that again and see if we can make some rebalancing there to help us provide some more resources such as for our pools, and look at those options as well. I'm not sure that's in the purview of the task force, but I hope that they're able to address the funding issue as well in their work. Thank you very much.

>> Tovo: Thank you, Mr. King. And actually, I believe it was councilmember alter who was a co-sponsor on this item who added that specifically into the final be it further resolved to have the task force look at creative funding sources and opportunities to create or leverage partnerships. So that is absolutely -- thank you for that suggestion. That is absolutely something we hope that task force will look at. Welcome, Mr. Pease. You have six minutes.

>> Thank you, mayor pro tem. My name is Alan Pease. I am on the aquatics advisory board. It's a little known entity here within the city of Austin. The people on the board don't even know how they got to the board.

[Laughter]. You think I'm joking, but that's part of Dorothy Richter's plan and we honored her a couple of months ago. I'm not speaking on behalf of the board tonight, I'm speaking as a private individual because I haven't had a chance to confer with the board. The last time I was here I asked for a raise for the lifeguards and you gave it to them. They're very happy to have it and we have enough lifeguards. Many people don't understand that we need to have 700 lifeguards a year. 700 a year, for a season that lasts, and this is important when you're thinking about pools, a season that begins after -- some time

after the first of June and will end the day after tomorrow. So when you think about the pools and all of the pools, they're open for a total, a total of two and a half months except for Stacy, big Eddie and Barton springs.

[6:34:46 PM]

Big eddy. And Barton springs. The others are not open rear round. So you're spending a lot of money and you're being asked here to a lot of money. Id listened to councilmember Casar and I listened to councilmember Garza. These are questions. There are areas of Austin that do not have pools right now. The rest of the pools are like icebergs. Everything you see is pretty. Everything beneath it can kill you, and that's the problem. That's the monetary problem that we face. I went to if not all of the meetings, as many of them as I could. If I missed one it's because I didn't know it existed, over the last three to four years. I've been in everybody's district that had a meeting. I've met people from everybody's district and I appreciate their time. Just like today, it takes a lot of time to stand here, to sit here and to wait to speak. And the people that showed up, it's important to note 13,000 people gave their input. I talked to several people, ph.d's, who said that's an incredible amount of people that have already weighed in on the issue. In many respects we're disrespecting them. They've done this. They've been to more than one meeting. Representatives of all of your offices went to those meetings. It's a long report. But I can sum it up in this. No one wants their pool closed. No one. I didn't meet a single individual in four years that thought we should close their pool. One of my favorite pools is little Stacy. Little Stacy isn't even really a pool. It's a wading pool at best, but, do you know what?

[6:36:48 PM]

Everybody goes there. They take their kids there. So I can't say anything about that. It's 154-page long report, which comes to an unhappy conclusion. To keep the pools up, to keep all the pools open requires a lot of money. The aquatics staff, the people that we contracted to do all this, 512-swim, who went out to the pools and I went out to the pools and talked to people in the pools. And when you this think of people in pools, you probably think of somebody in shorts or something. I try to go to the pools everyday. My girlfriend is in the back and she's giving me a bad time because I have my board shorts on underneath my shorts and I'm going to the pool when I leave here. Here's the key. People use pools differently. Many people just want to get wet. It's hot, it's summertime. Other people want to swim laps. Those people that want to swim laps are always going to show up at these things. They're always going to tell you that they need the pools to have lap lanes, that it's important to do this and important to do that, but for many people, for many people they just want to get wet. They just want to cool off. Certainly the color coding in the report caused what I would like to refer to as angst. I would never have used the color red by any pool. It jumps out and I know as I read everything on the listserv in the area where I live that everybody want upset. Everybody thinks there are 10 pools out here that somehow are going to close. But the fact of the matter is we don't know what's going to fail next. Mabel Davis failed this year. It wasn't on the list. We didn't think Mabel Davis had a problem.

[6:38:49 PM]

The university of Texas uses Mabel Davis in the morning for their swim teams. Mabel Davis is one of the pools that we charge for. When you get past the 700-part-time workers that work for two and a half months that we're going to try to fund here, the pools are closing because they're old. That's it. I'm old!

[Laughter]. What are you going to do? Everybody wears out over time. And the pools wear out. The problem is that these pools that everybody keeps referring to as being over 50 years old, that should really be a testament to them, that they've lasted this long.

[Buzzer sounds] We hear time and again the modern pool lasts for 25 to 30 years, but we're sitting on 50-year-old pools. But we're sitting on too many of them. I know that -- I just want you to know I went to three years of community meetings and observed the process. I watched the parks and rec board meeting and I'm not going to apologize because I had nothing to do with it. They got 154-page report 24 hours before they had to vote on it. I watched it. I watched the hearing and I don't know that anybody could have voted.

>> Tovo: Mr. Pease, I need to ask you to please wrap up your thought.

>> Sure. I'll wrap it up in three sentences. I attended the council work session last week. I looked around at everybody. I know what all of you think. I know what you expressed. I read the message boards. And I've done everything for three years. And what I'm worried about, and this is it, this is the wrap-up. What I'm worried about is 13,000 people weighed in over three years and this is now going to go to four people to bring back a decision to you all. Good luck with that. Teed thank you, Mr. Pease.

[6:40:50 PM]

Our last -- yes.

>> Casar: May I ask Mr. Pease just one question? Thank you for all the work you've done. I know you were just trying to wrap up after the buzzer went off. If you were to summarize your advice to us at this point given all the work you've put in, what would that be?

>> You've put three years' worth of work in at this point. You can kick the ball down the court, as the councilmember said, you can have a task force for if I'm not mistaken, I believe nine months. I do listen to what people say at these meetings. And what your real problem is that you need a lot of money, nobody wants to give up their pool. I would say that what you need a task force for is to find the money, if you intend to do that. But otherwise it doesn't matter whether you want to close the pool or you don't want to close the pool. Every year pools close and pools will fail next year. So I signed up neutral on this, but I'm going to stand behind the people that have done four years worth of work on this to say move on. If you think you want to save all the pools, then you need to find a way to do that, but you have a lot of other things, as Mr. King just said, that will require money.

>> Casar: Thank you.

>> You're welcome.



>> Tovo: Thank you, Mr. Pease. Having spent a lot of hours at little Stacy, I appreciate you raising that. It is a -- it is a small pool, but a very fun one. I'm going to turn the chair back to the mayor. Mayor, our last speaker on this item is Amanda Weems and she's designed up in favor. I'm not sure if Ms. Weems is still here? Ms. Weems, are you still here? All right.

>> Mayor Adler: I think we're done with speakers then. As the motion been made? Has your amendment been offered? Do you want to make a motion?

>> Alter: Excuse me? Mayor, may we have a full dais for this? Leslie pool is going to be back shortly.

[6:42:52 PM]

Or as much of a full dais as we can.

>> Mayor Adler: We can. We could --

>> Tovo: Mayor, as a sponsor I would love to lay this on the table and wait for councilmember pool. She is a co-sponsor of this item. I appreciate the suggestion.

>> Mayor Adler: Why don't you lay it out and --

>> Tovo: I'll go ahead and make my motion and with the amendment and then we can lay it on the table until she comes back.

>> Mayor Adler: That sounds good.

>> Tovo: Thanks very much. I would move approval of this item with the motion sheet that I distributed earlier this morning, if anybody needs one, let me know. Really the only substantive -- the main change I made from the one that was posted is that it is -- it just adds a little bit of information about the task force. We've explored various and sundry options over the last couple of weeks with law and how to accomplish this and the way that -- the way that I'm suggesting we move forward is to indeed keep it a task force, call it a task force. The language I'm adding is the task force will consist of four members of the parks and recreation board, will be picked by the existing parks and recreation board membership. I can go into the reasons why we're not doing a committee, but they're long and boring and bureaucratic and we would have to go through two or more meetings and levels of approval for it to come back to us. So I think this accomplished it more quickly. And then there is some additional language within the be it further resolved just to clarify the issue about what were existing criteria in the plan and then what would be some criteria that we would be asking our task force to look at, that is, that we're trying to emphasize beyond what they've considered. So that is the substance of the changes. And I would say, you know, we have had this discussion and I understand the concerns about having had so much public engagement, why are we requesting more time to ask do more public engagement. And I would say resoundingly it is an extremely long plan and the community engagement piece was great. I applaud our parks department as I said in our work session, for their community engagement work that they did.

[6:44:54 PM]

They did involve lots of people from all over the city, and I applaud them for that. We now need to give the parks board, who is fully immersed in this issue, but we need to give them time to really review the plan to analyze some of the suggestions, to look more carefully at the criteria, to suggest as we did whether or not we should be guided by that criteria or whether there are other considerations. For example, when you have a pool like big Stacy, like little Stacy, like deep eddy, that are some of our most popular, highly used pools in the city, but they result in a very low ranking because of their ability to be adapted, expanded, renovated. You know, that suggests that we may not need to look at that criteria a little bit differently and factor in some other considerations. So one, our parks board I think can be of a great help in helping us assess the information that came back, and giving us their opinion on whether we should use that moving forward to do planning, but also really to invite the public back in. Now that we've got a complete plan to ask all of those individuals who have participated through the years, does this reflect the feedback that you provided during that citizen engagement period? Or do you want to see changes in the plan? So we owe it, I believe, to our parks board members, but also to the many, many people who participated to give them the opportunity to comment on and to provide useful feedback on the plan as it's been drafted.

>> Houston: Mayor? Mayor?

>> Mayor Adler: All right. We'll come back to that item.

>> Houston: I have a question. Mayor pro tem, I understand what you're saying, but couldn't we just refer it back to the parks board rather than creating a task force? I understand that they didn't have enough time to review the final draft, so couldn't we just refer it back to the parks board and have them do that, all the things that you've asked them to do in your resolution rather than forming a task force? Because I think the whole parks board needs to look at it.

[6:46:56 PM]

>> Tovo: We certainly could. It was my sense of the discussion that they wanted a smaller group to look at it, and they could certainly set up a working group to do that, but the couple of individuals I talked to pointed out that if they do a working group they don't have support from the staff. So I think my sense of the comments to this point is that a smaller group looking at it would be useful, but, you know, if people feel that the task force -- that the parks board as a whole should be involved in that throughout all of it, you know, that's worth considering too. But again, it was my sense that they wanted a smaller group looking at it.

>> Houston: I've had two different people on the group that's been working on this, Barry Markland, who is on my staff; a swimmer. She's starting after two years. And Arlene Youngblood came on. There's sometimes that you get so much public input that the public gets tired. And I don't want to push that to this degree. So when we continue to talk about more public engagement over the past four years, I'm concerned about fatigue, but I'm just putting that out there.

>> Mayor Adler: Mayor pro tem makes a motion to adopt it with the amendment in place. Is there a second to that? Ms. Alter seconds that. Laid out and seconded, we're going to lay that on the table. We're going to go to the sign ordinance issue. Which is item number 72. We'll call it for a public hearing and possible action. I'm going call the speakers that are listed. We have 13. David king.

>> Thank you, mayor, mayor pro tem and councilmembers. I'll be real brief. I support this resolution and, you know, and, you know, I would ask and wonder if we could include anything about banner plane banner advertisement.

[6:49:07 PM]

When the banner planes fly over and they have their advertising banners, are they -- do they fall under this or are they in a separate area of the city code? I didn't know. I was just wondering if that could be discussed as to whether that could also be included? It's a form of advertising intended for those of us who are walking around or driving around.

>> Mayor Adler: So when staff comes up and legal talks to us about it maybe they can address that.

>> Thank you very much.

>> Tovo: While our next speaker is coming up I'll tell Mr. King I would be happy to talk with you about that. We did two banner flying resolutions in years past. It's extremely difficult to regulate as a city because it's controlled by federal law. So I can talk to you a little bit about what we discovered in that ultimately fruitless process. But thanks for the suggestion.

>> Mayor Adler: Who needs our legal staff when we -- mayor pro tem? Really?

[Laughter]. David Kirk Hoffman David Kirk Hoffman will be the next speaker. Come on down. And then Karen Makey. Is Karen here? You will be at the other podium.

>> Good evening, counselors. My name is David Hoffman. I'm just a resident and taxpayer. I'm actually for the digital blackboards and for the

following reason: Some time ago a close friend, child, was abducted. My friends were devastated. Within minutes they had uploaded a recent digital photograph and along with other pertinent information. The child was located and the abductor was in custody within about 15 minutes, all thanks to a tip from a motorist who had seen the alert on a digital blackboard. I think that this is important that we look at that as far as, you know, public safety issue.

[6:51:12 PM]

This is something that from what I understand is being, you know, proffered that if we have digital blackboards that we will also be able to use them for emergency services or amber alerts. And I think that we shouldn't overlook that. Apparently the police want the digital blackboards for that reason. I feel like if it just saves one life or prevents one abduction that that is enough to go for the digital blackboards. In addition, according to what I've read, in the press there's some lawsuits involved, and it

seems like we would want to negotiate with whatever parties so that we can avoid any liability as far as lawsuits are concerned for this city. I was here a little over a year ago. We talked about this same issue. There was a stakeholder meeting, I suppose. Everyone had input. They even set up a nice poll, which was open for several weeks online. And apparently there was a 67% of the respondents wanted the beginning blackboards and -- the digital blackboards and it seems like we shouldn't have these polls and whatnot if we're just going to throw away the results. In addition -- I'll make this brief. You know, it seems like I guess the sign on, is that the group, is offering a fairly good deal for the city in that we can benefit by perhaps taking blackboards, the old style blackboards and removing them from our neighborhoods and placing them where they would be more useful.

[6:53:21 PM]

For those guys out near a highway and at least out of our, you know, neighborhoods.

[Buzzer sounds] Thank you for your time. I appreciate it, counselors.

>> Mayor Adler: Thank you, Mr. Hoffman. Karen. And after Karen Makey it will be Russ Horton. Is bill Reagan here, Billy Reagan? And is Eric Wetzel here? Okay. So you will have -- Mr. Horton, you will have seven minutes. Three plus two plus two. Go ahead.

>> Good evening, thank you for having me. I was here about a year ago too and I was sent to the stakeholders meeting and participated in the poll. I'm actually here as a mother. My representative is Leslie pool who is not here yet, but I'm hoping she's listening. The first time I was here a month before there was an attempted kidnapping at the local library, and I came and spoke my piece as a mother that I would hope that Austin would adopt technology that is seen through all the major metropolitans across the U.S. That in case, god forbid, my daughter who is nine years old, was abducted, that the police would have technology that they would be able to post her face and she would quickly be brought back to me. Sadly a month after participated in the stakeholders meeting there was yet another attempted kidnapping a half mile from my house. So it only reinforced my strong belief that this is something very much as a public service announcement for the city to adopt. I too, you know, second the sentiments by the man over here who said if we don't listen to the populous when they vote, then what's the point of even having a vote? So I would ask the council just to be clear when I came here and I signed in, I voted for, but I want to make sure when you say for, does that include the adoption of the sign-on amendments or whatever they are presenting?

[6:55:25 PM]

So I would love to hear if that's something that is going to be included.

>> Mayor Adler: The ordinance as before the council as proposed by staff does not include an extension of the ability to put in digital signs. So you would be against it as written.

>> Well, there you go. Thank you.

>> Mayor Adler: Russ Horton? You will have seven minutes. After Russ it's Zach Webb. Is he here? Okay. You will be up next.

>> Thank you, mayor. I'm Russ Horton here today, a representative of sign-on Austin, which is a trade organization made up of a number of stakeholders, including first responders, advertising companies and companies in the billboard business. We're here today to -- billboard business. We're here today to ask council to delay its vote on this council for the reasons that I'll lay out here in a moment. I appeared before the council I guess it was about a year ago and soon thereafter we had the stakeholder meeting that was discussed at some length. As some of the council members may recall we were making a proposal that would try to update the city code to make it compliant with some of the existing concerns that we were raising at the time. And one of the concerns that we raised in our initial meeting a little over a year ago was some of the legal challenges that the city code was subject to. At the time staff basically said there were no such concerns. And as a result of that no action was taken at the time. Since that time there have been a number of legal decisions that have come down and shown, which is what we suggested to council was a concern, that the current way the first amendment is applied based upon a U.S. Supreme court decision that was decided about two years ago, has changed the way that governmental entities are able to regulate signage and do so in a way compliant with the first amendment.

[6:57:25 PM]

We believe that's part of the reason why council now feels like they must take this action quickly and without any stakeholder input, in part because the staff has now concluded and as we suggested a year ago, the city sign code is unconstitutional, would not survive scrutiny. The problem, though, is that the proposals that are being made by staff, again without any industry input, doesn't solve the problem. In some ways makes it worse. As a very brief aside, the constitutional standard that now applies on sign regulation requires in essence, and this is sort of a brief summary of the way that the standards are applied, but if the regulating governmental entity is required to actually read the text of the sign, to determine whether it's compliant or not, that is not a content neutral sign and therefore subject to a strict scrutiny analysis of the first amendment. The strict scrutiny is a standard that cannot be met, at least in regular sign regulation. What the city proposes right now is to amend the code to make it essentially, I guess, a location-based regulation subject to no content regulation. At least that's what the staff has indicated. Could you get the slide 6 up? Is the clicker right here? The problem, though, is this is an existing sign structure we have here in the city of Austin right now, Tyler's. As the city is proposing to change the code, that sign will be legal. It's legal now, will be legal after the sign changes. That's a digital panel, and if the operator of that digital panel attempts to put that sign up in place, it suddenly becomes non-compliant. The location of the sign didn't change. The size of the sign didn't change. The technology of the sign didn't change. The only thing that changed is the copy, the text. The only way that any staff member could say or any investigator could say that that sign illegal, well, that sign is not, is they have to read the copy.

[6:59:36 PM]

That is constitutionally suspected under the current standard of the law. One of the ways to solve this problem is not simply to set aside one class of speakers and say, well, if people pay for the speech we're going to make that illegal. That's also unconstitutional. But we're going to allow a certain class of speakers to say certain things and other classes to not speak, and that is the problem that I think staff is creating for the city right now. What we would urge the staff to do is to delay this and take input from industry so that we can try to bring the code into a compliant state and make it compliant in a way that would survive a first amendment challenge and candidly be beneficial to the city and the citizens as a whole. As we said previously when we came to the council a year ago one of the proposals we made and one of the reasons we went and reached out to first responders and other folks industry individuals for some input, we were proposing to bring a new technology, a network -- set of network signs around the city of Austin, wouldn't mean all signs would be converted but a certain number of them would be. They would be networked and smart and could be accessed by first responders in times of emergency, in amber alert, silver alerts, weather alerts, things of that type. And all at no cost to the taxpayers, and to do it in a manner so that all sign regulations in the city of Austin are in compliance, that there's no description against class of speakers and that the code as a whole would be compliant with the first amendment. It is our position that what city council -- or what the staff has proposed to council does not do that. And simply voting in something that does not solve the problem doesn't fix a thing, and we think creates further problems for the city. For that reason, we at sign-on would request Q that the council do not take action in favor of this proposal.

[7:01:43 PM]

It leaves this problem, as I've highlighted to council right now, on the books, doesn't solve the problem or bring beneficial benefit to the city that we proposed. So for that reason we would ask the council to not pass it tonight, take input from the industry, and let us see if we can't solve this problem together with the council in a way that's both beneficial to the citizens and compliant with the first amendment.

>> Mayor Adler: Let's go ahead and call up staff. I should have done that at the beginning of the process, and I apologize for that.

>> Hi. Mayor Adler, councilmembers, Amber Mitchell with the development services department. The item for your consideration is code amendment C20-2017-003. These amendments were initiated by city council resolution on June 8 of this year. The resolution directed the city manager in consultation with the law department to propose code amendments to title 25 of the city code relating to the regulation of signs snored to achieve consistency with federal and state case law affecting municipal sign regulations. The purpose of the amendments is to remove all references to content for noncommercial and on premises signs while retaining levels of existing restrictions on the size, placement and location of signs to what exists under current code. These amendments to the signed ordinance respond to guidance from the law department and are modeled after similar provisions in other municipal codes. Planning commission recommended the ordinance amendments at their July 11 hearing with direction to staff that signs above the second floor of a building that must comply with sign regulations be limited to engravings to the greatest extent possible. Staff has proposed a modification we feel addresses the commission's concerns and stays within the original intent of the ordinance amendments.

[7:03:48 PM]

Staff recommends this ordinance and finds that the proposed amendments retain the prohibition on new off-premise signs as well as corresponding on the existing nonconforming off-premise sign. Your backup includes a detailed memo from the law enforcement recommending that -- law department recommending council initiate the amendments. Development services and legal staff are here to answer any questions you may have regarding this ordinance.

>> Mayor Adler: Thank you. Anybody have any questions before we continue with public testimony? Okay. Thank you. I have Zack Webb, zaq, probably pronounced that wrong, Jeff heckler, okay, and Brad parsons. Is Brad here?

>> Gotcha, just wanted to make sure you were in the room. You have seven minutes, three plus two plus two.

>> Thank you. Good evening, my name is zaq, born and raised in Austin. I'm here on behalf of indie Austin, a group dead conversated to giving voice. We're circulating a petition now regarding the city's sign ordinance and also one that supports the citizens right to referendum which I know would be compelling to voters here so please seek me out. I came today to discuss the sign ordinance. The theme is protection. I want to protect Austin from the uncontrolled growth of billboards, help local law enforcement protect people during emergencies and protect Austin's beautiful night skies. The protections I'm talking about have already been proposed by coalition known as sign-on Austin. Sign-on Austin has asked city hall to approve a limited number of digital billboards in exchange for council control over their locations and free access to local police for digital amber alerts and other emergency advisories.

[7:05:3 PM]

This proposal would not add any billboards in Austin but simply allow a handful of existing signs to be converted. Sign-on Austin's proposal won landslide support sponsored by the city itself but today's amendments don't appear to incorporate their representations. So what happened to the voices of the people of Austin? Now, you may not like billboards and I'm not here to convince you otherwise but the reality is billboards are not going to go away. On the contrary, their numbers may actually grow if you fail to listen to the Austin residents who have already spoken in support of sign-on Austin's proposal. The city has always maintained one set of rules for billboard owners and another set for store owners who are allowed to use digital signs. This isn't just fundamentally unfair but also unconstitutional. As many of you know Austin's third court after peels recently struck down the state Asian billboard law because it regulated based on content. Austin's sign law continues to unfairly discriminate in the same way and is now at risk of being struck down by the very same court. If that happens the rules go out the window and Austin would quickly become the wild west of billboards with no control to prevent the growth and proliferation of both final and digital signs. The austinites who took part in the public review that I mentioned understand this and that's why nearly two -- three of them voted in favor of digital conversion. In short I just can't understand why we're here to discuss changes to the city's sign ordinance but the word digital remains an ideological boogy man that must be kept at bay. What's the

problem? Isn't Austin supposed to be the hub of innovation. New sign technology that has been already certified could be in place now. It's energy efficient. These are displays that produce less light pollution, not more, by switching from flood lamps to led lights to automatically dim and protects from light pollution in the night sky.

[7:07:53 PM]

These digital signs allow law enforcement and time critical emergencies to show the faces of kidnapped victims instead of the unmemorable license plate numbers you drive by at 60 miles an hour and can even help capture wanted fugitives. The FBI used these signs in Houston to quickly apprehend the guys who attempted to assassinate a judge. It really should be a no-brainer and yet this technology is banned by an ordinance written before I was even born. Digital would also finally make billboard tiding affordable for local small businesses or community events that don't have the budget to manufacture a vinyl sign and pay for the months long contract required. They can just send over a digital file and have it put up in an instance or split the time sign with other businesses or nonprofits to reduce costs. I come from a background in theater and produced a few events around town and let me tell you the tight budget of performing arts I would have loved to get my shows the attention a billboard can add. Doesn't the city itself use digital ties to go help control traffic, promote the long center, help local schools communicate with parents? Perhaps with access to digital, local artists could actually compete with city show venues and I wouldn't have to read about a knew small performing arts venue closing month after month in Austin. It's 2017 and I urge you to update our city's sign ordinance for the 21st century. I urge you to listen to the residents who took part in your own stakeholder review. Protect Austin from uncontrolled billboard growth. Give the local police the tools they need to protect Austin families. Do what you can to reduce light pollution and protect the night skies. Please consider adopting sign-on Austin's proposal. Please. My group indie Austin has lost a petition in support of that proposal and others and, again, I encourage everyone to come see us to sign these petitions. Thank you very much for your time.

[ Applause ]

>> Tovo: Mayor, I just have a quick question. Sir, I have a quick question for you.

[7:09:54 PM]

I just want to understand whether there's any relationship between indie Austin and aiba, the Austin independent business alliance.

>> We are along with aiba and police association, we are all members of the sign-on Austin coalition.

>> Tovo: Your indie Austin group is not -- I did a quick Google search and indie Austin tracks me to the aiba site and I just want to be sure you're not representing aiba, you're representing a different group, indie Austin?

>> Correct we're not affiliated.



>> Tovo: Super. Thanks.

>> Mayor Adler: Okay. Gerard Kenny will be next. Is Layla [indiscernible] Here? Okay. You'll have five minutes, Mr. Kenny. Is Allen reader sneer you'll be up next at the other podium.

>> Thank you, mayor, council. As you know, I'm a lifelong austinite, architect. I'm like some others here, I'm not being paid by anybody to be here. It does seem odd to me that the very companies that suing the city right now because you denied 49 of their digitals to be approved is actually even allowed to speak so it seems odd. Everybody has a right to speak, so the proposal is an attempt by the city to comply with speech issues. That's all it's really trying to do. Scenic Austin, which I represent, and scenic Texas, fully support the ordinance as written. It does not appear to make other changes to the sign code which would impact location, number, size, or other features of existing or future signs. It also does not change the prohibition of new off-premise signs or the limited relocations allowed for those signs.

[7:11:55 PM]

In the future, codenext will, we believe, deal with the on-premise issues of digital signs, and let me just add, if there's a fairness issue between billboards off-premise and on-premise signs, the solution to that does not have to be to allow them on billboards. A better solution would be just not to allow digital billboards in the city and to apply -- and for the city to apply that to itself and its own signs. That would be the solution to that problem. In the future, we will be urging for stricter controls over any signs on or off-premise and we will continue to urge the city council to continue its prohibition of new off-premise billboards, including a repeal of the relocation that prevents the city from ever becoming billboard-free. We understand the proposal today only addresses and attempts to -- to cure any legal first amendment free speech infirmities rather than to tackle other changes. We fully support this proposal. And I truly hope you won't fall for the threats you're hearing from the sign industry. Thank you.

>> Mayor Adler: Thank you.

[ Applause ]

>> Mayor Adler: Is Karen Maki here?

>> I already spoke.

>> Mayor Adler: You already spoke. Okay.

>> Mayor, councilmembers, my name is Allen reader. I'm a local GM for Lamar advertising here in Austin and the surrounding counties. This is my 30th year with Lamar, 17 here in Austin. At this time we operate roughly 2700 digital displays in the United States, including Puerto Rico and we have 142 in the state of Texas. Thirty years ago, when I started, we hand-painted wood signs, went with a crane, and hung them on the structure. That had about a four to 8-week turn around, everything was hand-painted, hand done.

[7:14:01 PM]

Twenty-five years ago we hand painted raw vinyl. That was about a three to four week turn around. Twenty years ago to date we print vinyl at printing houses, we send two guys in a pickup truck and hang it, that's a one to two week turn around. Now with digital we have about a ten to 30 minute turn around. The technology is just necessary. It's the way things are going. It's the future. It's technology. I mean, everything we're doing these days we're improving. It allows us to provide services to the community, the city of Austin. We've seen this over and over and over again. A couple of them -- one of the benefits is safety. We heard about amber alerts, silver alerts. We've -- we are responsible. Digital outdoor is responsible for I don't know the number in 2012 it was 45 fugitives apprehended. Today it's -- I don't know what the number is, but it's a lot. We have huge support from the FBI. Daily in my office, if not every other day, we serve amber alerts. We put them on our digital displays. San Antonio, Round Rock, Kyle, the ones that we do have. They're successful. These people are apprehended. Another example is for emergency services, like let's say -- let's take Rita in 2005, I believe it was, we had all these cars stranded for days at a time. We had deaths, we had all kind -- we did not have digital in that area to provide information for traffic flow, to assist with emergency situations. If we do this, we will be able to provide that for the city. This, again, is tax-free. It's free. There's no cost. Local business, they can change their messages immediately. They can shorten their campaigns like Brad was saying.

[7:16:05 PM]

People can't afford to go up for a month or four weeks at a time. Sometimes they need to do it for just two or three days. This gives them the right to do that, the ability to do that. South by southwest spends a lot of money this this town. We can't provide the digital that is requested when that -- when we get within six months of that deal.

[ Buzzer sounding ] We can't provide it. I'll wrap it up here real quick. The last thing is about night sky pollution. Digital is direct -- the diodes are directed straight towards the traffic. You can't -- if you walk to the side of a digital billboard you can't see it. If you're above it you can't see it, if you're below it you can't see it. They're directed straight at the traffic, about a 45-degree angle. Excuse me. But there's no more lights. There's no more lights shining up in the sky.

>> Mayor Adler: Thank you.

>> So that was a big concern we've had to deal with.

>> Mayor Adler: Thank you.

>> Okay. Thank you very much.

>> Mayor Adler: Thank you, sir.

>> By the way, I signed that said I support it. I was incorrect.

>> Mayor Adler: I understand.

>> Thank you.

>> Mayor Adler: Council, those are all the speakers that we had on this item number 72. We're now up to the dais. Does staff want to close? Okay. Up to the dais. Does anyone want to make a motion? Mayor pro tem?

>> Tovo: Mayor, I'd like to move to close the public hearing and approve the ordinance as prepared by staff.

>> Mayor Adler: Okay. It's been moved. Is there a second to that? Ms. Pool seconds that. Is there any discussion? Ms. Houston.

>> Houston: This has been going on for some time, and people alluded to stakeholder -- one stakeholder meeting that was held last year when we had requested several, and at that meeting, the whole issue of digital signage came up and I think that's something that we need to continue to have conversations about. This is very narrowly written to talk about the compliance with the supreme court ruling, but I think that we cannot stop having that conversation as one of the speakers said.

[7:18:15 PM]

Austin is the digital capital of the state, and to say that we're going to always have vinyl signage doesn't seem -- seems a little ar Kay topic me, but I will make a motion to just

[indiscernible]

>> Mayor Adler: Mayor pro tem has made the motion but you would like us to continue talking about electric signs? I understand. Digital signs. There's been a motion and a second. Any further discussion? My sense on this issue is the same. I think that there's a difference in the legal interpretation so I think that there's a question as to whether or not the case law supports the proposition that if you have to look at the sign face it becomes something that governs speech as opposed to being able to look at a sign, while you're looking at the sign to differentiate it between on-premise or off-premise. What we're being told I think is there's a difference of opinion on that. I think everybody agrees that our sign ordinance needs to be changed. It's a question of how far, what level that goes to. So I think we need to make the changes that -- that are clear that we need to make. My sense is that in making those changes is council is not ready probably to make a policy change, but certainly that conversation could continue. It's been moved and seconded. Any further discussion? Those in favor of the mayor pro tem's motion, please raise your hand. Those opposed? It's unanimous on the dais. Councilmember kitchen off. Let's go back now then to item number -- do we want to have the discussion on 12 or do we want to go into the public hearing?

>> Tovo: Mayor, we had an item on the table. I would ask that we take it back up again. I forgot what the number was.

>> Mayor Adler: We can do that.

[7:20:16 PM]

Item 52. There was a motion by the mayor pro tem to create the task force and it contains the amendments as shown on the yellow page that she's handed out that has been seconded. We're now continuing in discussion. Any other further comments from the dais? Ms. Garza?

>> Garza: I share many of the concerns -- I think his name was Mr. Pease? This is the -- yes, okay. Because I thought the same thing. You know, we're not -- nobody is ever going to come speak in front of us and say please close this pool. These are really tough decisions. So I don't know if -- if this would be considered friendly, but I thought we could add language -- and I can't find the -- I'm sorry. The last be it resolved says the task force shall provide feedback on the aquatics master plan including potential funding options. And I hate to give him this hard task but I would like to add to include -- and maybe this is what you were getting at, funding level options -- what I was going to say is to include recommendations for closures. Because I think we're going to have these hard discussions, and so I would make that amendment.

>> Mayor Adler: Ms. Garza would amend to include task force talking a look at possible pool closures. Is there a second to that amendment? Mr. Flannigan seconds that. Want to address?

>> Garza: Just want to say, too, I have big concerns about a very tough decision we would have to make if we go in the direction of closing pools.

[7:22:25 PM]

But, you know, each one of us is going to be advocating for the pool in our district or the pool close to our district -- closest to our district. With this group, with this task force that is building on work that another task that they could give us some -- you know, a different -- look through a different lens to look at the technical aspects of it. And give us some recommendations when and if we have to make that hard decision.

>> Mayor Adler: Okay. Amendment on the dais is to include a look at possible pool closures. Councilmember alter.

>> Alter: I was wondering if you might be amenable to saying prioritization of investments. I think one of the things that's so frustrating about this plan is it's very confusing for people to understand what this is about and the way it was presented and for people to digest what this plan is really suggesting. Because even as the plan is set up, no pool is closing until it is dysfunctional in some way, so somehow as a way to prioritize investment, that might be -- there may very well be pools that need to be closed if we choose not to make investments, but that prioritization of investment I think is more in the spirit of the way that the plan was set up, as confusing as it can be for people. Because the plan itself doesn't tell us this one is going to close. It's trying to give us criteria, and I think that the reason at least -- one of the reasons that I want to see this go to the parks board is I'm not comfortable with the criteria, and I don't feel like the community understands how that criteria is laid out. But I certainly think that there's an

important role for them to prioritize investments once we've decided we have a body of money to invest in pools, which is another part that's missing from the plan.

>> Garza: I like that wording but I would say prioritize investments up to having to -- up to some recommendations that include possible closures.

[7:24:34 PM]

>> Mayor Adler: So Ms. Garza is willing to change her amendment to add to the list including prioritization of investments including considerations up to the closing of pools. Is there an objection to her changing her amendment that way? Hearing none, her amendment is changed to be that language.

>> Garza: Is that a possible in front of -- and a possible closure of pools?

>> Mayor Adler: Yes. So you were saying including prioritization of investment, including consideration of possible closure of pools. That's the amendment now. Any further discussion on the amendment? Mayor pro tem.

>> Tovo: I'll just say I'm not sure -- and this may have been something that was suggested by my colleague, capital metro. I'm not sure that the -- councilmember alter. I'm not sure the plan itself actually provides all the information our parks board would need to make those decisions and recommendations. But in any case, I'm not going to support the amendment, but appreciate that, yes, at some point we're going to have some difficult decisions but my hope is that the task force not only are they going to be looking at the criteria and providing us with some guidance but that they also -- they also will help us suggest -- they will also be creative and see what alternatives might exist.

[Off mic]

>> Mayor Adler: Further discussion on councilmember Garza's amendment?

>> Casar: I'd also ask councilmember Garza if she would add to the end of that sentence and -- and -- if you reread it, it may be helpful for me to make sure the grammar is right, but for the prioritization of investments also to consider access to aquatics for residents who currently do not have access.

>> Garza: I'd be happy to add that.

[7:26:48 PM]

>> Alter: Is that already in the --

>> Mayor Adler: [Off mic] Prioritization of investments including consideration of possible closure of pools as well as access to aquatics for residents who don't have such access. Is there any objection to adding that? This is an amendment to the amendment. So Mr. Casar is adding an amendment to the amendment. The question is, adding an access -- aquatic for residents who don't have access. Ms. Pool.

>> Pool: Can I just ask the maker of the amendment to the amendment what that means? These are public pools, so I don't know who doesn't have access to them.

>> Casar: Sure. I'm happy to -- I made that up on the fly but I could be more specific if necessary. But the idea is as we prioritize resources, the resolution is talking about where a lot of people live as far as residential in the city goes, bringing in historic -- looking at historic importance of various pools. I think one thing that council member Garza is bringing up is, well, what pools would we have to close or how would we have to close them? How could we prioritize investments. Thinking about that. Then my issue that I'm adding to the table is that there are people who currently have very little access to pools, for example, we talked about zero depth entry and how that actually affects people's access to pools, people that are very, very far away from the nearest pool and have no transit access to nearby pools so that's what we're talking about, is people -- I mean, if you look at the map of our pools, there's a lot of people who are very far -- who have a much more significant distance they have to go, topoged to pools with the kind of amenities that they might need to enjoy the pool.

[7:28:51 PM]

>> Pool: Meaning the pools aren't on a bus line or something? I mean, I don't understand that. I could -- I mean, that could be --

>> Mayor Adler: Hang on one second. Is there a second to the amendment? Ms. Garza seconds that.

>> Garza: Mayor, can I accept it as friendly since the amendment is my management.

>> Mayor Adler: You just can't do it by myself. It's not your amendment.

>> Casar: If you'd like for know add the word equitable access, I can do that.

>> Pool: I'm sorry. I don't know what that means.

>> Mayor Adler: The amendment has been made, it's been seconded. Greg, you can explain that first. It's your amendment.

>> Pool: I think he has.

>> Casar: I think generally what it means is for a person living in the northeast quadrants of my district, they think the city of Austin does not care about having aquatics access nearby them for many of those folks I've spoken to because they see the level of aquatics facilities in other parts of the city and they feel like they are not being given equitable access to those facilities, and I want them to be included in the part of the conversation about prioritization of investments. And so I just want to make sure that's explicitly on the table. I didn't mean to imply that there was zero access. There are certainly some pools that those folks could get to but oftentimes with sufficient -- with significant difficulty.

>> Mayor Adler: Okay. Continue debate. Ms. Pool.

>> Pool: So I would say how do we know that's the case? And then if it were the case, I would say it sounds like that may be in fact more of a failure of the city to tie all the various pools where they're located and how you can get to them because people do have the ability to move around the city. And I

don't think that this plan is intended to put a significant community swimming pool within a quarter mile of every neighborhood.

[7:30:52 PM]

I don't think that's what this is, but that's almost -- like we have talked about for parks, and we even have trouble doing that. So it sounds to me more like a failure of our city to advertise how to get to a pool rather than a failure of the existing pools that we currently have.

>> Casar: Sure. There's one pool in the whole northern what, 2/3 of my district and it doesn't have a sign in front of it.

>> Pool: There you go. So that would be a failure of the city to properly ties it. But that doesn't mean that we then should close other neighborhood swimming pools because we don't have a sign out in front of whichever pool that might be.

>> Casar: I didn't imply we need to close them. I'm bringing up the very clear issue that there is -- that the system is currently inequitable and I'd like for the prioritization of resources to consider that.

>> Mayor Adler: Let's continue on debate, give some other people a chance.

[ Applause ] Councilmember alter, do you want to address it?

>> Alter: I'm comfortable with both of those amendments. I think the issue with the master plan and what it was trying to resolve, which I don't think it's there yet, is we have I think two issues. We have the pools that are existing that are existing infrastructure that is failing and that they're key to lots of communities and we have to make decisions. We have limited resources on how we can do that. We have other parts of our city of that not benefited from pool investments in the past, and those and those geographic parts of our city need to have pools too. This is supposed to be designed to be a way to prioritize our investments, but you have to be able to do both of those. And if you have no funding, it doesn't matter if you have a prioritization scheme because nobody is going to get anything. We're going to close a bunch of pools and we're not going to get any geographic equity. What I'm hoping we'll get to is we'll get to a point where we can do both.

[7:32:53 PM]

It is a matter of political will as in any other decision to be able to do both. It is not -- you know, in the context of this decision, and we have resources to trade off across the city, but right now, if this plan moves forward, we're going to get neither. And I don't think that's what the community wants, and they have to be aware of the decisions that we're making and the opportunities we have to make choices to say that we should have pools. It's hot in Texas, and we need our pools, and it doesn't matter where in the city you are, you need to have access to pools.

>> Mayor Adler: I'm going to speak out in favor or join councilmember alter speaking in favor of both of these amendments. We have a report on aquatics that came back. It didn't recommend closing any

schools but it did put the chose squarely in front of us that either you're going to have to invest a lot more money or close pools if the criteria they used in the report was subject to question that came from folks. I know that there were some people in earlier conversation that questioned whether or not we need a task force on this -- needed a task force on this but I think there is a benefit in having the task force. That's why I'm supporting the mayor pro tem's motion to be able to look at exactly these kinds of questions, those criteria and things that were set out to look at, what it would mean, what are the choices that would save us from closing pools, what it would look like if we had to close pools and how those kinds of choices get prioritized with providing people access. Those are all good questions for me, and I think that it lives within the -- for me, it lives within why I think it's important, as the mayor pro tem, to have this additional look. Mayor pro tem.

>> Tovo: So let me be very clear. I think geographic equity and access is critical. And it's such an important element that it was actually one of the criteria that was used in evaluate willing and ranking the pools -- evaluating and ranking the pools and I've highlighted it in this resolution as well.

[7:34:56 PM]

So I think I would just say that I'm not -- I don't believe it's necessary to add it in as an amendment. It's already in the be it further resolved, task force members should review the plan with consideration for the existing criteria of geographic equity and access, and then goes on to say the other existing criteria as well as some additional ones. So councilmember Casar, I know you cited a historical and cultural importance, popularity. Those are important, too, but, again, the be it further resolved specify all of them with geographic equity and access as the first. So I don't see that it's necessary to add it in. It's in the resolution. And was an important part of the existing -- of the criteria that our consultants used when analyzing -- when providing us with feedback on the pools.

>> Mayor Adler: Further discussion? Further discussion on the amendment to the amendment? Garza.

>> Garza: I think councilmember Casar made the point, but to councilmember pool's question, I'm not understanding the access issues. On page 10 of the aquatics master plan it shows the city ten minutes away and 15 minutes away. If you notice there's lots of white areas in there. That means those areas, they're significant amounts, southeast, northwest, all the outlying areas are not -- are more than 15 minute drive and I asked this question during this discussion, 15 minute drive at what do time? At 2:00 A.M.? 4:00? That's a different commute. There's a significant access issue for a child who has the ability to possibly have a stay at home mom to walk that child to the pool during the day versus a child whose both parents are working and they'd have to get on a bus for 20 minutes. So there is an access issue right now and I appreciate taking that into account when we're making these decisions. Not going to support the main amendment.

[7:36:57 PM]

I may support putting this into the amendment but I guess I really need the maker of the amendment to the amendment to explain whether it's necessary to have it here, and I want to be very clear, it is in -- I mean, it is called out as one of the existing criteria and one of the main ones we want them to be



concerned about. Is there a need -- do you feel that there's still a need to put it into this amendment and, if so, can you help me understand why?

>> Casar: So my understanding of the amendments on the table is that it's talking about the prioritization of investments that may result in the changing of location of aquatics facilities. That is the closure of one. But I think it's also important for us to consider the creation of them and where they -- as places where we would be investing. So it's clear that a lot of the master plan is about which pools we should be investing in that are existing, but what council member Garza has added is, well, there maybe some pools that are existing that can no longer exist and we also have to think about all of the pools that we think should exist in places where there aren't any. So I want sort of both of those things to be on the table as this is discussed. The reason that I think that the place where you note equity in the first be it resolved is insufficient and probably insufficient for me to be able to vote for the item as a whole is that the aquatics master plan did put equity as one of the top ways to rank how to prioritize aquatics and what it seems like the resolution does is it actually adds several other criteria that weren't considered ultimately in a way that I think could water down equity being one of the driving forces of what the task force is analyzing. I think that ultimately we have a very inequitable system, not just geographically, but just based on the way our city has been planned and laid out at this point, I think it's racially inequitable and inequitable class-wise system as far as access to aquatics, and I think the staff as plan and the plan that thousands of people have chimed into brings us to the very inconvenient truth that it would be very, very difficult to fix those issues.

[7:39:11 PM]

But why I support council member Garza's amendment is that it acknowledges that fixing those issues might take really hard choices, which is actually trying to create some new aquatics facilities for people who don't have them and for places where there's lots of aquatics facilities accessible to lots of people and maybe not that many kids aged 10-15, maybe not that many kids aged 2-10 that we might have to consider some of those aquatics facilities being closed. We're not voting to close them right now. We're not saying that that's the only option. But the fact of the matter is, if we are going to have to spend tens of millions of dollars keeping all of those open, then that could potentially preclude our ability to spend tens of millions of dollars doing all the other really important work we all care about and that we'll probably be hearing from the public about after we're done with this item. So sort of in short, to answer your question, I think we can't just be prioritizing investments for repairs of existing pools. We also have to think about how to prioritize our investments if we ever want to get new aquatics facilities out to the folks that are very far away from them right now that need them.

[ Applause ]

>> Tovo: Mayor, I just want to acknowledge, I believe that was exactly part of the staff's intent so I think they were -- I mean, I want to acknowledge that I -- the master plan I think is designed exactly to do what you've described. Identify areas that need pools as well and to balance those out. So I don't want the public to think that the aquatics plan didn't have that as an abiding concern.

>> Casar: That's why I would probably vote to adopt that plan and keep on working on ways to fund new pools rather than --

>> Mayor Adler: Councilmember pool.

>> Pool: I want to be really clear, access is a critical piece for me, and I think we are probably saying the same thing but maybe we're walking toward it from different sides, from different directions. I don't want to close any of the pools, and I want us to find a way to preserve our system while growing it to address the parts of the city where this community amenity is not easy to get to.

[7:41:24 PM]

Hard votes in order to put the money toward it, whether it be part of our operations and maintenance budget that we do every year, whether it's the bonds that are currently being constructed by our bond advisory committee, which I hope that they add significant funding for our park -- our park pools system. My concern is that we do have to grow it into parts of the city where access is hard to come by, but I don't want to -- I don't want to lose what we already have. I want to preserve that and combo it. Grow it. I think we're saying the same thing and I think the mayor pro tem is correct, what you are also saying and what I am saying is currently part of this plan and is part of the mayor pro tem's motion.

>> Mayor Adler: Okay. On the amendment to the amendment, councilmember alter.

>> Alter: I don't have the exact right wording, but I think part of what you're talking about is that some places in the city this process may involve building new pools. So I'm wondering if we added at the end of the be it further resolved, the second one that's on the mayor pro tem's sheet, it says as well as creative funding resources, opportunities to create or leverage partnerships and provide policy guidance on how to prioritize investments, including pool closures and the building of new pools.

>> Mayor Adler: Would you read that again?

>> Alter: I'm not sure I had it written down, but okay. So certainly it would -- you'd be taking out the and between funding sources and opportunities. I would say as well as create creative funding sources, opportunities to create more leveraged partnerships and provide policy guidance on how to prioritize investments, including pool closures and the building of new pools.

>> Mayor Adler: So at the end of the sentence it says as well as creative funding source, opportunity to leverage partnerships so your addition is at the end of the paragraph.

[7:43:32 PM]

>> Alter: It's taking what councilmember Garza had and we had combined before about the prioritizing investments and including pool closures and adding the building of new pools, which is I think the equity piece at the end. So it would say and provide policy guidance on how to prioritize investments including pool closures and the building of new pools.

>> Mayor Adler: I think she's saying does that meet --

>> Alter: I'm wondering if that meets the spirit of what we're trying to address. We have to remember that this master plan -- the point of having --

>> Mayor Adler: Hang on one second. I think he's looking at whether -- I'm asking if you would take that language.

>> Garza: I think it says the psalm thing and I don't see how it, no offense, makes it any -- it seems to say the same thing that we said.

>> Casar: Yeah, I mean, if that's going to move us on to the budget hearing I'm happy to do that with the tiny nitpick of changing the word pools to aquatics facilities because we have no splash pads north of 183 and I think we'd be willing to take one of those.

>> Alter: Perfect. I like it.

>> Mayor Adler: Priority investments including consideration of possible closure of pools.

>> Alter: Provide policy guidance on how to prioritize investments including pool closures and the building of new aquatic facilities.

>> Mayor Adler: Okay. Any objection substituting that out for both Garza -- Garza amendment stays, that gets put at the end. Any objection to that?

>> Casar: I think she moved the whole thing over.

>> Mayor Adler: In other words it began with councilmember Garza's, prioritized investments including consideration of possible closure of pools. Then we add the language that councilmember alter had. Is there any objection to that being added? Hearing none it's added. So it's now been amended.

>> Alter: It should be possible -- I'm sorry, I forgot we had said including possible pool closures.

>> Mayor Adler: Right.

>> Alter: Not just pools.

>> Mayor Adler: Prioritizing investments including consideration of possible closure of pools and then running the language that councilmember alter said.

[7:45:39 PM]

Any objection to including that?

>> Just for clarification, where does this start? Second be it resolved would say task force members should review the plan with consideration for the existing criteria of geographic equity and access, environment sustainability and fiscal sustainability while taking into account historical cultural importance, popularity and father population projections as well as creative funding sources,

opportunities to create or leverage partnerships and provide policy guidance on how to prioritize investments including possible closures of pools and the building of new aquatic facilities.

>> Mayor Adler: Okay. There were no objections. We've included that. It's been moved and seconded. The motion now. Any further discussion? Those in favor please raise your hand. This is the main motion. Those opposed? It's unanimous with councilmember kitchen off the dais. Thank you. We're done with that. All right. That gets us to our final three public hearings. Let's call up first the public hearing number 73. Which is the public hearing on -- is it Austin energy rates? Seventy-three is Austin energy rates and fees. We have four speakers? Let me call them up. Paul Robbins. Then Cyrus reed, David king, and Ann Chris.

>> Good evening, council. I'm going to try to wedge into Austin energy discussions, if you will, on low-income programs. First, I'm asking you to fix the customer assistance program by income-qualifying participants about high real estate assets.

[7:47:42 PM]

Unlike some people -- excuse me. Austin energy staff is behind this. They have proposed alternative tariff language. I wish it had not taken so long to do, but it is done. Please pass this. Maybe I can find a new hobby.

[ Laughter ] Second, I need to point out the futility of continuing to rely on free weatherization as a signature program to assist low-income rate payers. I realize that people that support it have good intentions, but to be succinct, it does not work. A survey from Austin energy a few years ago showed it saved one dollar for every four dollars invested. It may provide some increased comfort, but as an energy-savings program it fails. As a social program, you would do better to give the money away as a rate discount. A much better approach from an energy-savings standpoint, would be door to door, direct installation of low-cost, high-savings items, such as light emitting diodes, leds, pipe wraps, and smart thermostats. Think about it this way. Let's say that you -- let's say that you're dirt poor and someone offers you three programs to help your bill. One is free weatherization, saving 25 cents on the dollar, second is a customer discount, which gives you one dollar saving per dollar invested, and the third is a direct installation program saving two dollars or three dollars for every dollar invested. Which line are you going to be in? Good evening.

>> Mayor Adler: Thank you.

[7:49:44 PM]

Cyrus reed. Is Cyrus still here in okay. Then David king. Is Ann Chris here? Mr. King.

>> Thank you, mayor, mayor pro tem, councilmembers. I'm just here to say I hope that you will increase funding to help low-income families pay their utility bills and ensure that these families do not lose utility services and do not incur debt from unpaid utility bills that they will never be able to pay off. And I was going to channel Paul because he was not going to be here so he's done a fine job channeling himself but I concur with his -- he's really dogged this issue with the customer assistance program

discounts and I concur heartily with him that the high income families should not be able to take advantage that have program. Thank you very much.

>> Mayor Adler: Thank you. Cyrus reed or Ann Chris? Is there a motion to close the public hearing? Mayor pro tem makes that motion, seconded by Ms. Houston. Any discussion? Those in favor please raise your hand. Those opposed. Unanimous on the dais with Renteria and kitchen off. I'm now going to go to 75, which is the public hearing on the proposed tax rate. There's six speakers signed up. I'm going to call them. Paul Robbins. But before we do, sorry. We're going to take up agenda item 75 to conduct the first of two public hearings to receive comments on the proposed maximum property tax rate of 46.51 cents, 46.51 cents, per valuation of fiscal year 2017-18, second public hearing will be held 4:00 P.M. On August 21, 2017, at city hall.

[7:51:49 PM]

Council will adopt the city's actual property tax rate on September 11, 2017, city hall, the hearing may continue through September 12th-13 if needed. We will now call the speakers to the podium. The first is Paul Robbins.

>> I'm going to pass on this one. Thank you.

>> Mayor Adler: Thank you. Second speaker would be Bob batland.

>> Passing.

>> Mayor Adler: Dana bounds? Okay. Shibata succana? Okay. What about Christina Tidwell? Either one is fine, and mark gentle is on deck.

>> This is my first city council meeting.

>> Mayor Adler: Congratulations. You're welcome. You're welcome.

[ Laughter ] You're welcome here.

>> I originally moved to Austin in 1980 to be --

>> Mayor Adler: Can you pull the movie a little closer.

>> I originally moved to Austin in 1880 to be adopted by the family that started bug master pest control, and I've been in -- around Williamson county and I currently live in Lago vista and looking at buying a house in south Austin in 78748 zip code. I'm doing the move to put the house that I currently own in Lago vista as a short-term lake rental to income produce. I'm overcoming water issues that have caused a brain tumor, and so money is tight for me right now. Really tight. And I was worried to see that the tax rates were going up 14, and I wanted to ask if that's an annual thing for that's going to be a 1-time thing.

[7:54:01 PM]

Not that it would kill me the first time, but if it's an annual thing, I might not buy the house. So the people that I've asked questions, they can't seem to answer any of the questions. I don't know who to ask. But I'd just ask that -- you know, I've looked at the poverty level of aisd has gone down 4% in the past three years, and Lago vista, it's gone up. I want to say I know the statistics for the past 22 years. It went from 25% to 40% in Lago, and the state just took a million dollars away from our school district. And I know that the kids in the schools here in Austin won't necessarily get that money. I hope the money goes down to south Texas, where the kids all seem to need a lot of help with tutorials and whatnot. But I just ask that, you know -- with all the other tax rates and things going on, I was at the Travis county -- I went by the courthouse today and found a thing from the Travis county commissioners court that they're possibly talking about a -- adopting an order calling for a bond election November 7. And this is going to layer up to the point that a lot of people that are low-income or battling like I am, that we may all get taxed out of our houses, and I don't want that to happen.

[Buzzer sounding] How do you do that?

>> Mayor Adler: That's the time. But thank you very much.

>> So I just wanted to ask y'all to be careful. I don't want to wipe everybody off the -- having a house.

[7:56:03 PM]

>> Mayor Adler: Thank you very much.

[ Applause ]

>> Mayor Adler: Mark gentle.

>> Hello, mayor, council, my name is mark gentle. I live in Ann kitchen's district. I just wanted to stop by and say that as to the proposed tax rate being driven by the proposed so-called tax swap with aid, that is an erosion of the most important and meaningful tax protection for senior citizens and the disabled permitted by the constitution and state law. And that is the school tax freeze. By the swap, it is a circumvention of that protection and no amount of adjustment or expenditure through an additional increase of the exemption is going to cure that. It's just not equal to a freeze. And there's no way to make it equal to a freeze. So I saw Mr. Van eenoo, he can run the numbers for you. It's an easy evaluation. Check the price tag of the exemption versus the price tag of a freeze for seniors and disabled. That's the delta that we're talking about. That's the damage that you'll do to senior citizens by doing this. There are many other reasons to object to this, such as the non-aisd homesteads that would be negatively affected. There's no cure for that. There's no equity. There's no amount of expenditure that can create equity to do that. So what is happening, mayor, is you're driving the city into a divisive recall election petition drive and then election for a tax swap that circumvents not only the senior citizen protection, but also the statute that provides for a tax swap.

[7:58:13 PM]

So I've followed it. I've try to follow the math. I've tried to follow how you can see that it holds seniors harmless. It does not. And there's no way to make it that way because what you haven't done is you haven't projected over time the cost of that program. It may be \$22 million this coming year, and the exemption may be able to cause the median senior to stay harmless for one year, but it won't happen overtime. Overtime, they will pay more. It is a certainty. There's no ambiguity about it, and there's no fix to it. So I say drop the swap because what it will need is a petition to stop the swap and that's what I'm urging you to do. Thank you.

[ Applause ].

>> Mayor Adler: Those are all the speakers we had signed up for this. So that means that the first public hearing on the proposed tax rate is now closed.

[Buzzer sounds] That gets us to the is last item that is on our agenda. The council will now take up agenda item number 74, to conduct a public hearing and receive public comment on the city of Austin's 2017-2018 proposed budget. Council will hear more public comment on the proposed budget on August 31st of 2017. I'm now going to call the speakers to the podium. The first 20 speakers will each have three minutes. We're going to -- for the first 60 minutes of testimony that we have, the speakers will get three minutes. If you have donated time by our rules that would be two minutes we are donated speaker. And after we reach 60 minutes then everyone will have one minute. We have some folks I think that are here with children that I said I would call out of order so that the children could get home, but the time that the speakers get will be the time that they were placed on the sign-up so no one being called early is going to get more time than they would have otherwise gotten.

[8:00:33 PM]

Okay? So I have the first person would be Aidan o'here R. Herely and he has donated time -- is Bob libell here? Is Bob libell here? Let me first ask is Aidan o'leary here?

>> I think they're coming.

>> Mayor Adler: That sounds like it.

[Laughter]. Okay. So Aidan o'leary. And I have you have donated time from Bob libell. I see Bob. And Maya pilgrim. Is Maya here?

>> Yes.

>> Mayor Adler: Got it. Aidan, you have three minutes.

>> Thank you. I had a powerpoint. Cool. I'm Aidan and I will be talking about public health and relation to funding in Austin and Travis county. To I got a quick table of contents here. I'll be doing a quick embryonic down of public health funding in the city of Austin in 2016 to 2017 financial year. I'll be briefly discussing how other cities compare to Austin in terms of public health funding. And I will also be briefly discussing racial disparities in public health. So first this is a quick break down of the -- of what

the funding to the department of health goes to in the 2016 to 2017 financial year, last year. So about 64% went to staff. That includes salaries, leave pay.

[8:02:33 PM]

The next is infrastructure, 13.4%, and that includes buildings, maintenance for buildings, garbage collection and other. And we have fees, sort of like if like tax tag if they're paying for that, awards and recognition, so like monetary awards, and postage. And direct public health funding would be direct grants to private-public health organizations and health advertising for public health purposes. Supplies, which is the last category of 2.6%, would include computers, food, equipment, things like that. Austin spent about \$25 million on public health. And it's actually the lowest of these other -- of these five cities in budget, dollar value and dollars per capita. So, for example, Seattle with the next highest percentage spends about one and a half times as much or two times as much as Austin does whereas Denver with 9.7% spends \$2,400 per capita on public funding. Austin only spends \$68 per capita on public funding. And this relative lack of funding can manifest itself in ways like these such as racial disparities in public health in Travis county. For example, African-American people in Travis county have higher rates of HIV infection and cardiovascular disease with African-American males being twice as likely to have HIV as white males. And African-American females being 12 times as likely to have HIV than white females. Cardiovascular disease affects the African-American population twice as much as it does the white population.

[8:04:36 PM]

Tuberculosis also disproportionately affects the Latino population of Travis county. The Latino population makes up about 24% of the --

[buzzer sounds] That's time, I guess.

>> Mayor Adler: Finish your sentence. You have to democratic.

-- You have to conclude.

>> 34% of the population in Travis county is Latino, but 46% of the tuberculosis cases in Travis county are Latino, which is disproportionate. Thank you for your time.

>> Mayor Adler: Thank you. Good job.

[Applause].

>> Mayor Adler: The next speaker I have here is speaker number 95, and it's swali

[indiscernible].

>> [Inaudible - no mic].



>> Mayor Adler: And then is Hilda Gutierrez here? Donated time. Lauren ice? Thank you. Is joyna Coleman here? And Julia Vaughan Alexander? Is Julian Vaughan Alexander here? Is Danielle mashia here? Is she out in the hall too.

>> We have a bunch of little kids who need watched over there.

>> Is usi Mccooy here? Vivian nudek. And you're going to show a video.

>> Yes. Our video is about the pools in east Austin owe.

>> Mayor Adler: Takes about eight minutes for the pool.

>> Nine minutes, I think, but yeah. It's just a quick video about --

>> Mayor Adler: I think we have nine kids here. There's usually a maximum number of speakers that we get is seven, but I think we waived that so we could watch this video. Please. You are at the podium.

>> All right. So our video is about the pools in east Austin.

[8:06:38 PM]

And it's just about us. We were on the montopolis swim team and just kind of our experience. So we hope you guys enjoy.

>> Mayor Adler: Thank you.

[Video playing].

>> It was a lot of fun. I only had to do a lot more [indiscernible].

>> It was really fun being on the team, having teammates and getting to practice everyday, but I did notice that our pool did not have like -- that was underresourced and that made it hard to practice.

>> My personal preference in swimming and competing is back stroke. So when you're swimming you can only look up. And montopolis doesn't have flags or anything to indicate, to indicate if you're going off to the side. So whenever I was swimming back stroke in montopolis I would like hit my head on the wall because I couldn't see it and would hit my hand or bump into people and go sideways. But then at all the other pools that we competed at they all had flags and that was something we didn't have. We also didn't have lane lines to there's nothing to separate -- there's not even lanes drawn.

>> We kept bumping into our teammates very hard.

>> The only equipment we got were kick boards and they were pretty old, not kept well. Just in the back of the room. And they were all too small for us. They were like kid-size kick boards that are made for like younger children. So it doesn't really help us in our swimming.

>> Whenever we went to the meets, I absolutely noticed a difference in the facilities. The farther west we got the nicer the pools were. Things that were west and north were a lot nicer.

[8:08:42 PM]

Usually because

[indiscernible]. Montopolis, no one meets there. They don't have lanes. Most of the kids on our team were children of color, and most of the children on the other teams were not.

>> These are neighborhood pools. They should all be the same, but they're not. The ones on the east side are much smaller, older, dirtier. The ones on the west side are bigger, cleaner and more new and it just goes to show you that they're putting more effort into those pools. In Austin there's been a prioritization of resources in white neighborhoods, and since 1928 when the master plan relocated black and Latino communities to a certain section of the city, then it became much more obvious to anyone to see how that section in terms of public service was so underresourced compared to other parts of the city.

>> A lot of times the size of the pools in our neighborhood, they have the same [inaudible].

[Indiscernible].

>> The floors are very, very not taken care of. There's only two stalls. Versus I was

[indiscernible]: And over here there's only one light.

[8:10:49 PM]

So next to the sink there's no soap.

>> The pools in west Austin were bigger, cleaner and have more staff. The teams had more practice hours than our swim teams.

>> Before this started there was a

[indiscernible] And we were looking at it and the times for the practice, we only got an hour, and there was a couple other teams at three, 4:00 in the morning had an hour and all the other pools got two hours to two and a half hours.

>> There was only four pools in Austin that got one hour per practice, and it was all the pools on the east side.

>> I told my mom, and one day when we were at practice we told the lady that ran the swim team and she told us it was because they have two teams, but they still -- so they would split their team, but they still each practice two hours.

>> As a parent, I was really interested in my kid learning how to swim well. I started trying to register my kids for swim classes about three or four years ago, we signed them up and was really excited the first

year, I remember. And then I heard that it was canceled for underenrollment. Two years I tried again for swim team and found out that it was canceled as well. All the swim teams that were actually not canceled were more on the west side of the city far away driving. So then this year a few of us mothers met with the awe evacuate ticks office -- awe evacuate ticks office months ago and told them about the experience we've had because they have to sign on the coaches and hire swim instructors. They decide weeks -- a couple of weeks before the deadline where they're going to cancel based on how the numbers are looking.

[8:12:53 PM]

And based on the patterns in the past. So we took it upon ourselves, the mothers, to start recruiting kids and signing them up ahead of the deadline.

>> This year we made sure to get 10 kids on the list but a lot of the parents couldn't access the scholarship application because it was online and they didn't have paper applications at the rec.

>> We had our own outreach, you know, to put out fliers and recruit people because the aquatics folks aren't doing it.

>> Also they had to sign up for the scholarships and the scholarship applications take weeks to process so there are all these institutional systemic ways that even if you're trying to sign up ahead of time, it doesn't matter because the scholarship doesn't get approved until after the deadline. At the rec centers and at the pools there's no fliers that explain about the team. We went and told people at the pool, hey, did you know there's a swim team? They said we never heard of there was a 70 something page booklet and maybe on page 67 it sits on a shelf in the rec center and that's what is -- they think is getting the word out. So we made our own -- ourselves, a few moms, English and Spanish, printed them ourselves, copied them ourselves, brought them to school, started going around to families and found families who were interested in swim team.

>> I want my kids to be able to be comfortable swimming, have access to swimming as any other kids.

[8:14:54 PM]

And I want my kids to be able to do it with other kids that are their friends and their neighbors and not have to go meet somewhere in a community that is not ours where we live just to be able to swim.

>> I'm glad we had each other, but to be better swimmers we do need those things like kick boards, lips, things like that.

>> [Inaudible].

[♪Music playing♪].

[Applause].

>> Thank you very much. Clearly the best video we've ever had.

[Laughter].

[Applause]. The next speaker with a minute is Anna Lisa plant. I think this was signed up as 112.

>> Hello. Thank you. My name is annalise is a plant. I'm here with ccu. I also -- and my son who is behind me. I also work at the Dell medical school, but I'm here as an individual. I appreciate the chance to talk and feel strongly that people directly affected by issues should be the ones who have a voice in guiding solutions. So thank you for letting us do that today. I mostly want to take the chance to remind all of us that the city council members do work for us as -- represent us in the district, but also represent an institution that has a lot of power and that institutional power in itself and systemic power can be used in the direction of justice and equity.

[8:17:08 PM]

And so other people might talk about the specifics that ccu would like to request the budget be focused on this year. I just more generally want to say that equity does not happen as well as it's intentional because the default in our country is otherwise --

[buzzer sounds] Thank you.

>> Mayor Adler: Thank you very much.

[Applause]. The next speaker is Israel medio. And is Denise Loy iia here. I see that. You have two minutes. And I see this as 105.

>> Hi, everyone. My name is

[indiscernible] And I'm actually playing a video on behalf of somebody who is here, but is uncomfortable coming up.

>> Mayor Adler: Thank you.

[Video playing]. Spanish Spanish.

[8:19:57 PM]

>> Mayor Adler: Thank you very much. The next speaker that we have is [microphone feedback].

[Indiscernible]. And is Danielle Acevedo here? I have these as 110 on the list. And then is there stef Adler here? She's outside? Okay. You have three minutes.

>> My name is Elizabeth o'brien and this is my daughter. She is very, very nervous. She didn't want to speak so she was hoping that I could ask her yes or no questions. Does that still sound okay? Did you like it when there were police officers in your school?

>> No.

>> She was in second grade this last year. Did you tell me that you felt like the police officers were going to arrest some of the children in your school?

>> Kind of.

>> Were the police officers nice to you and did they talk to the children and try to be nice to the children or did they just stand there?

>> They just stand there.

>> Do you want to show everybody how they made the children put their heads on the cafeteria table while they were waiting for their teachers in the morning? Can I show everybody? Like this? And were you allowed to lift up your head off the table?

>> No.

>> And were you allowed to talk to each other?

>> No.

>> And did you have to stay like that the entire time you were waiting for your teachers to come?

>> Yes.

>> And were the science experiments canceled and did the teachers blame the cancellation of the experiments on the bad behavior of the children in your school.

>> Yes.

>> And did you feel like some of the teachers lacked respect for some of the children in your school even though they needed love?

>> Yeah.

>> Yeah. Um, and did you enjoy going to the Montopolis rec center?

>> Yes.

>> Yes. Were they nice to you there?

[8:21:59 PM]

Were they nicer at the Montopolis rec center than at the school?

>> They were both the same.

>> They were both the same. Did your mommy sometimes think they were better at the Montopolis rec center than at the school?

[Laughter]. Was that a leading question?

[Laughter]. Thank you. Do you have anything else you want to say, sweetie? That was our experience in district 3. I'm a ph.d candidate at the university of Texas at Austin. As such I'm prohibiting from holding outside employment. And so she and I have a limited budget to work with and we really sought out community resources, but we were very, very, very unsatisfied with the quality of the public schools in district 3. Thank you.

>> Mayor Adler: Thank you very much. Thank you for coming.

[Cheers and applause] The next speaker is

[inaudible]. And I think I have that as number 11. Samuel wood bury. And the next speaker for you want to come down to the other podium is caminotay.

>> Hello. My name is Samuel Woodbury, I am almost nine years old. I am here with ccu. I would like to say I think more money should be given to the poor neighborhood pools because there's a great difference between the richer and poorer pools, also more money should go towards the health of the Austin people. Thank you very much.

[Applause].

>> Mayor Adler: Thank you very much.

>> Spanish Spanish.

[Speaking Spanish].

[Applause].

[8:23:59 PM]

>> Mayor Adler:

>> Mayor Adler: Gracias. The next speaker we have is Paula Rojas. Paula. And then is uri Mccooy here? You have two minutes.

>> I'm Paula Rojas and I wanted to ask all the ccu folks to come down here with us. And the folks who are with us to step up with us. Thanks. We have a bunch more out there, but I just wanted you all to know that we are here, there's many more of us that couldn't physically be here today. Elena, the person that spoke during another's time is physically here, but not comfortable being in the room because of the situation that's happening now, folks who have concerns about immigration are less likely to participate, but I wanted you to know that she and many others that we work with would have liked to be here today as well. But with time they are less comfortable coming down to city hall, but they are here with us and she spent a lot of time making the video because she wanted you to know that she wanted to be here, but didn't feel safe standing in this room right now on a camera. As we've all been saying and we've been saying it for awhile, we have a few recommendations around the budget. We

really think the budget can impact equity in a way for the whole city. And we worked hard in collaboration with many of you to pass the equity tool resolution.

[8:26:01 PM]

We know it's being implemented. We urged you to use it in the budget process in a meaningful way, that it helps in decision making. We think that the budget, if you can allocate funds to the equity office so that it can really do the work that it needs to do, that will make a difference, otherwise it's a shell.

[Buzzer sounds] We also have others that will tell you about our other recommendations. Thank you. Gracias.

[Applause].

>> Mayor Adler: Thank you very much. The next speaker is is aminamekambi. And is Sandra molerna here.

>> [Inaudible].

>> Mayor Adler: You have three minutes.

>> Thank you, sir. Hello, everyone. My name is amena. I'm here -- I'm living in district 1. I'm here with ccu. I'd like to share a part of my story. I come here in Austin in December 14, and I have the triplet babies the next day, and without any family, without any -- I know it takes a village to raise one baby. What about three babies? So I went through a lot without any familiar being far from my family and I really expected to get more -- I had help because one of my babies was one pound when she was born and they had to stay three of -- three of them had to stay in the NICU for a lot of period. And one stayed for almost four months. And up to today she still needs special equipment for her to continue to live. So I'd like to say thank you for the medical support that I'm getting now.

[8:28:05 PM]

And in the same time I think the -- I don't know if the government can allow more money to support family of multiples like mine, like my family on providing more housing affordable programs and childcare and transportation. You cannot imagine -- you can imagine that it's very difficult to the system, the transportation system. And yeah. I say thank you for all the support and thank you so much.

>> Mayor Adler: Thank you very much. I had that as speakers 102 and then 96. And then at --

>> Thank you so much, all of you. I just want to thank you for everything you try to do and all in this courtroom. It's not easy. I just thank you for the great work that you are doing.

[Indiscernible]. I just want to thank you and god bless you guys. Thank you from the bottom of my heart. Thank you so much.

>> Mayor Adler: Thank you. The next speaker we have is Elena cologne. And then is Lauren Ross here?

>> Yeah.

>> Mayor Adler: You have two minutes.

>> Hi. My name is Elena cologne. This is my daughter. We live in district 3 and we're here with communities of color united. We're here because we strongly see the need for the city to -- we think the city needs to prioritize this.

[8:30:14 PM]

We think the city needs to prioritize racial equities. We think the city needs to be thinking about this everyday the way that we're thinking about this everyday. It's ignored all the time. And right now is a great opportunity for y'all to see and hear everybody's stories, but you should be thinking about it all the time. It should be on your mind all the time. People who are dealing with these struggles never stop dealing with them. It's everyday, all day long. It's always hard. And y'all should get a small amount of that, at least everyday. Like we do. Thank you.

>> Ola.

[Speaking foreign language]. Cler.

[8:32:17 PM]

[Applause].

>> Do you want to hear that in English or are you good?

[Laughter]

>> Mayor Adler: Wait, wait, wait. You had two minutes. I would like to hear it in English.

>> Okay. So my name is Patricia Zavala. I came to live in the city of Austin 15 years ago. I have 22 years living here. I came here when I was 15. I've always lived in Austin ever since I was young and I would not like to leave from the city. I would like for the city to offer more support for the folks that work here. It has been difficult for me to apply for medicaid and I just had a child and my child is now five months old and we didn't qualify. And that's how I learned about mama Sana. It was they who offered me support during my birth, the birth of my child. In particular emotional support. I feel like it was a very beautiful hug because I had a lot of support. When we got together and talk about how to relax, and we did yoga and in this way I love the program.

[Buzzer sounds] , Which is mamasana. Thank you.

[Applause].

>> Mayor Adler: Is Isabella leery here? Yes, in the back? Gotcha, gotcha. You have two minutes.



>> Thank you. My name is Marissa. I am from district 3 and I am also pleased to serve on the environmental commission representing district 2. And tonight I'm here as a member of ccu.

[8:34:19 PM]

A couple of weeks ago at the environmental commission meeting we had a wonderful presentation by our equity officer, by Brian Oaks, Kelly Coleman and others, and hearing about what that office is doing was really exciting, it was really motivating. It stirred up a really great conversation among the commissioners and it gave us a lot of ideas about how to try to implement the equity lens in our own decision making and deliberations. But to make sure that this office is as successful as we're all hoping that it can be, it's going to need a lot of funding. Without funding it's basically set up to fail. So I've come tonight with a lot of ideas for funding. I know the budget is tight and so I thought I would propose some ideas and where to look for additional funding. One idea is to revisit the agreement that the city has with the domain by which the city provides a couple million dollars a year basically and in subsidies to the domain, and from my quick review of that agreement it looks like there's not much risk to the city if those payments stopped. And there's not much to lose. On the other hand there's a lot that the city would gain, to the tune of a couple million dollars a year, that could be put to the equity office. In addition, --

[applause]. When we are practicing equity now through the budget process is to also apply additional funds to the public health department and to freeze the budget for APD. Lastly, I think that having heard from the equity officer we can all agree that the departments that are participating in the pilot program --

[buzzer sounds]

-- Are sufficiently benefiting that we should ask the departments to contribute part of their budgets to the equity office as well. Thank you.

[8:36:25 PM]

[Applause].

>> Mayor Adler: So I had Ms. Perales as number 94 on the list. Thank you. The next speaker that I have here is Julianna Gonzalez. Is she here? And then Alice Buffkin. She here donating time? Still here or no? You have three minutes.

>> I lost a donor by taking too long. Good evening. Mayor and council. I'm Julianna Gonzalez, I'm the executive director of the Austin tenants' council. And I'm here to talk about the work we do as part of our non-profit agency in terms of tenants' rights and education. I wanted to start by thanking you. Thank you to this council and the many before it that supported the Austin tenants' council over the almost 45 years that we've been in Austin. You've been very supportive over the whole history, but I've been really overwhelmed in my two years as a executive director by the support that this city has shown for the tenants council and more importantly for the tenants we serve, so thank you. Thank you also for approving the cdbg action plan, which funds our renters' rights assistance program. That's how we offer

counseling and mediation services in Austin, to city of Austin residents. We will put that to good use, so thank you. And I want to raise your attention to three things, if I don't run out of time, that we have as unmet needs in that program. I'll start with the most important just in case. The thing I want to talk about first today is our staff salaries. I know that non-profit is not money org and I know as a city council you've committed to a living wage in Austin and I want you to know I have staff not making the living wage.

[8:38:36 PM]

I have staff under the poverty level. I have -- all my program staff is eligible for the programs they work on. And so I want to draw your attention to that and let you know that we're doing an external compensation study right now and we'll have the results of that very soon to be able to tell your offices how much we need to make this work better. I just think -- we're very lucky to have staff that have served. I have a staff member who has worked for us for 29 years. We are so lucky that they are dedicated enough to stick around, but that's not good for our organizational health, which means it's not good for our city and not good for our tenants. And it's also not good for our people, it's not the right thing to do. So I'll be talking to your offices about that number in the coming week. In addition to that we have two other programs that I think are very worthy. One is the guide to affordable housing, which we publish or have traditionally published. We need to be funded for that in order to be able to continue that effort. And one is the -- we're proposing a program related to eviction, advocacy and prevention by which advocates from my office could accompany -- could prepare and accompany tenants to eviction hearings. In Texas you don't have to be an attorney to go with -- to advocate in court for a tenant. And we just need a very small amount of money, something like \$65,000 to be able to add that to our programming, which you already fund. Thank you very much for your time.

[Applause].

>> Mayor Adler: Next speaker is Paul Robbins. You have three minutes. Is Paul still here? Okay. That goes to Kathie Mitchell. Is Kathie Mitchell here? Is Rob Brownsville here donating time? Rob Brill? No? Is Nicole Metson here? Okay. You have three minutes plus two minutes. So you have five minutes.

>> Ah, I don't think I'll need that much.

[8:40:37 PM]

Hi. My name is Kathie Mitchell and I'm here today with a modest proposal. We ask, and I'm here on behalf of the Austin justice coalition and a group of groups that have been working on this for quite some time. We ask that this year you end meet and confer and walk away from the contract that governs the police association. We ask that you vote no when it comes before you and begin an incremental process of allocating public safety resources, just a few million dollars this year, to more effective approaches that address root causes. Further I understand that your concept menu includes millions in new patrol positions currently unfunded and competing with your priorities. Stay on track. The commitments you have already made to increase funding for health and social services are critical to public safety. These services have been starved for more than two decades. Your equity office must

be resourced appropriately after you've heard from others tonight. Address mental health needs with mental health care, not policing. Address addiction with treatment, not policing. Address homelessness with homes and interventions recommended by your homeless team. Address truancy with age appropriate programming, including swimming, as we've heard tonight.

[Applause]. You can begin to do all of this. Terminate the meet and confer and reallocate millions of dollars without touching officers' salary, step pay or overtime. Officers will remain the highest paid in the state. You will be able to weigh if you do this every budget cycle the importance of public safety solutions based on policing side by side with all the social services that also contribute to stronger families and stronger communities.

[8:42:54 PM]

We ask that you take this step now for two reasons. The contract locks in for another five years. Our current system of addressing too many social problems with police. It does that by putting so much money in that pot that there's no money for alternatives. We also ask you to do this because the juice, the promise the accountability measures available in a contract that can preempt state civil service law, ain't worth the squeeze. Community groups came together and identified eight reasonable accountability improvements to the police meet and confer agreement that might make that agreement worth its very high cost. After watching every negotiation session and meeting with the city manager it has become clear why this process has not produced an appropriate system of civilian oversight after nearly two decades of trying. As we are frequently told, this is a negotiation. In a negotiation leverage matters. The city's leverage has always been its ability to pay officers more. Over time that has resulted in a steady contractually enforced allocation of a larger and larger share of gr to officer pay and benefits. According to the city's publicly posted budget, public safety has reached nearly 70% of gr. Policing accounts for 41.4% of gr and this contract locks in most of that cost. With increases guaranteed over the years. Despite the huge investment of gr, Apa has agreed to very little reform over the years. In some respects the current contract offers less accountability than we would get under chapter 143, the statutory framework we return to should we end this experiment. In a negotiation either side can say no to proposals from the other side.

[8:45:00 PM]

It is clear that Apa has already said no or clearly will say no to almost all significant proposals for reform. Some of our proposals were even offered up by the city in trade for other of our proposals. There does not appear to be any path by which the major community priorities are likely to emerge from this process in any acceptable form. With that in mind we urge you to consider the larger framework. This council has already shown a commitment to moving incrementally in a better direction. I am personally excited to see the Herman center open.

[Buzzer sounds] Can I finish my sentence? I'll only say we are in a rare moment. You have an opportunity to make a decision about this five-year agreement in the context of the budget and that does not happen very often. If you don't consider this seriously this year, you won't have an opportunity again for a very long time.

[Applause].

>> Mayor Adler: Paul Robbins. So I'm guessing -- I'm guessing -- I'm guessing we probably have a couple, two and a half hours worth of speakers? And we know from experience this will go a lot faster if we can go from speaker to speaker quickly in the transition. So I would just ask that. Paul? You have three minutes.

>> Council, I debated what to say tonight and I thought that if I got too far in to my own past it might come off as self piteous.

[8:47:19 PM]

I will state that for many years I lived at or just below the poverty line and I get it. Nonetheless, this has made me realize all the more that ideology itself does not work, that to arrive at solutions one must do it pragmatically with the best numbers available. So without-- I'm going to revisit the subject of low income programs for Austin energy and I'm going to offer to all the council, particularly council members Casar, Garza and Tovo, that I do have -- or anyone who wants to meet with me, that I do have a lot of background in this matter. I have in fact helped plan a very cost effective low income program. The city's multi-family program back in the 1990s, without being overly boastful, were it not for me, that program may not have existed. And I would like to help more low income people in as cost effective manner as possible. I'm offering to meet with any and all of you to help move this forward, relinquish the rest of my time. Good evening.

>> Mayor Adler: If Chaz Moore would come down. Is Helen Miller here? No? Is Barton Ballard here? So you have three plus two. You will have five minutes, Mr. Moore. And is James Casey here? You will speak at the next podium. Mr. Moore.

[8:49:20 PM]

>> I'll try to be quick. I wanted to follow up with some stuff that Kathie said. So meet and confer, the process of meet and confer started after the city had the Pofg group, the police oversight focus group. This group met for two years. It was stakeholders, police department and all these people. It was yet another task force that if anybody ever writes a book about Austin it's going to be full of task force. So they met for two years and they came up with all these things about civilian oversight about police accountability and all these things and then when they got to the actual contract, these things like council member Flannigan talked about earlier, they were taken out. So the task force for two years, the community said this is what they wanted, they took it out, and pretty much the meet and confer contract has stayed the same ever since. So in retrospect, meet and confer was to preexempt 143 and in exchange for paying more the city was paying for police accountability for police misconduct, a better [indiscernible] And civilian oversight. The city has not gotten any of those things over the decade that -- I think two or three meet and confer contracts have been in existence. What we have gotten is the deaths of Sophia King, Larry Eugene Jackson, Mar Began Rang Dealershipin's, David Joseph. And we have gotten very little police accountability. Out of all the people who have been murdered, and these are the big cases. Only one cop has been fired. So we didn't get our cash value for police accountability. Hiring

practices. Every time I see a cop on the scene, and I work downtown. Every time I see a cop they look like a white heterosexual male. They don't look like women, they don't look like black men, they don't look like Latino women. It's always white men I see am cognitive into the bars -- coming into the bars or patrolling sixth street or into the neighborhood when we're called.

[8:51:23 PM]

So we didn't get our cash value for that in hiring practices. Civilian oversight I don't want to waste 30 seconds on that because we have an office of police monitor that is a complete joke because it has no teeth. They can't do anything and the civilian review panel is just all smoke and mirrors. So the city has paid out so much money over the existence of meet and confer and we haven't gotten anything for it. So to follow-up on what Kathie was saying, ajc and some other groups, we think it's just time to end this experiment. It was a great try, good trial and error, but it's too expensive. And more importantly if we stop meet and confer tomorrow, if we stop meet and confer when the first contract came up, we would automatically save six million dollars. Six million dollars that could go to all those pools we're talking about that could go to the equity office, that could go to the schools on the east side that we act like we don't see. That can go to the parks that we act like we don't see on the east side. That can fix the homeless problem that we act like we don't see on seventh and Trinity. We could stop paying cops so much money to kill so many people and actually do something else besides trying to police our way out of public safety. There are so many other options to public safety than just to police. Like Kathie was saying we don't need police to show up to the scenes of mentally ill cases. We don't need police in truancy cases. We don't need police to show up all the time in its just a neighborhood altercation with jack and Jill. Like people are more capable. There are other options that we can put this money into as opposed to putting in the pockets of police. And on top of that, if you look at the meet and confer process when it comes to the fire department, the city again is shelling out so much money and the fire department is not willing to bend and work with the city on that. So the process of meet and confer is something that we honestly think that the city needs to seriously reconsider and if you you want I can go about how we can get to the six million right now.

[8:53:23 PM]

But if not -- I've been here since 8:32 so I'm right here with you.

[Laughter] If not, I can just take a seat.

[Applause].

>> Mayor Adler: So we have James Casey here. Is Terri Roberts here? Hold on one moment. Is Terri Roberts here? So is Connor hilliard here. So you will have five minutes when Mr. Casey is done. Mr. Casey.

>> So Mr. Mayor, and council, I was led to understand I could have Sarah neto's here speak with my time if that's all right with you. The same amount of time.

>> Mayor Adler: That's fine.

>> Good evening, mayor and councilmembers. My name is Sarah Neto and I am with Undoing White Supremacy Austin. I have lived in Austin for a year and a half now and I'm in district 4. As an organization dedicated to undoing white supremacy we support Communities of Color United. And their three budget allocations for this year. Which have been stated previously, but as a reminder, it's to increase funding in the equity office in order to provide equity training to staff, develop a community advisory accountability body, hire staff need to begin applying the equity tool for the city departments and budget allocations. The second one is to increase funding to Austin public health. The third one is to increase funding for low income housing. And then how would we pay for all this? Freeze the APD budget. White supremacy takes many forms. Today some forms of white supremacy are seen as more socially acceptable, including inside city budgets. The disproportionate expenditure of 40% of the entire city of Austin operating budget going to APD is a huge piece of the white supremacy system here in Austin.

[8:55:25 PM]

We ask that you abandon the motto that public safety means more and more militarized police. We need more funding for equity initiatives and use an equity lens in this year's budget process to implement the three budget considerations that communities of color put forth. That's all, thank you.

>> Mayor Adler: Thank you very much. Is Sal Valdez here?

-- Sal Valdez here? You will be on this podium here. You have five minutes.

>> Good evening, mayor and council. I'm Terri Roberts, the executive director of the Greater Austin Crime Commission. Growing up in west Texas my grandfather would say someone was whistling past the graveyard when they avoided a difficult decision. Unfortunately when it comes to public safety, I fear we're doing just that, ignoring the community, the recommendations of experts and the warning signs. In fact, in a recent survey of Austin voters commissioned by my organization, more than eight in 10, even knowing the cost, said they are supported adding more police immediately or over the next three or four years. And the result was the same in every council district. In district 2 it was 80%. In district 8, 85%. District 5, 84%. District 10, 86%. But despite growth, increased violent crime and slower response times, public safety spending as a total spending of the proposed budget will decrease by more than three%. And the 12 police patrol positions that were added last year remain unfunded. Let me repeat that. The 12 police officers you authorized, but did not fund last year are not in the budget. So last summer in a presentation to you about the latest taxpayer funded police staffing study, Dr. Richard Brady, the matrix group, said Austin had the lowest available community engagement or community policing time of any police department they had ever analyzed.

[8:57:45 PM]

So for a city that supports community policing, we're setting up our police department to fail. And public safety isn't a conservative or a progressive issue. It's a community concern. So this is a question of priorities, not a lack of revenue. So we asked that you please fund the 12 positions and implement a police staffing plan that achieves a minimum goal of 35 percent community engagement time. And

that's a goal that's been endorsed by the Austin neighborhoods council, the downtown Austin alliance, the greater Austin crime commission, the mayor's task force on institutional racism and systemic inequities and other community groups and neighborhood leaders. If we look back in future years and find ourselves facing the same predicament with public safety that we have with affordability and mobility, which is too far behind to catch up, we'll remember this as the moment we could have done more and didn't. And I know there's not enough money to do everything, but there's enough money to do the the right thing. So we don't really need any more excuses or any more taxpayer funded studies. It just takes leadership and political will and it starts with you. So I ask you, let's not whistle past the graveyard begin this year.

-- Again this year. Please fund public safety first. Thank you. You.

>> Mayor Adler: Thank you. What is your name? Is Hugo Diaz here?

>> Not yet.

>> Mayor Adler: Not here. Is Bob batlin here? You'll be speaking at this podium. Mr. Valdez.

>> Mayor Adler and council people, I'm here on behalf of Latino health care reform. I couldn't have said anything more important than the children before you have said today. From the mouths of babes you hear the truth.

[8:59:46 PM]

They're not inclined to lifetime health equity is one of our most important issues here in Austin. Although our name is Latino health care, we serve everyone. The city council has seen fit for the past several years to invest in doing outreach, education, and enrollment in an array of health care services for the most impoverished, the most needy, and the most underserved of our community. Our work specifically has used health case workers in the community that's most impoverished and needy. The people we hire are passionate about serving these same people. With the -- no wrong to our policy, our support is to enroll people to get health care access done, whether it's the affordable care act, whether it's medicare, whether it's chip, whether it's some other free services that the city also supports, a healthy community starts with healthy people. Universities have made an investment in the future of these same children that sit behind me. I ask you for your continued support and sensitivity and compassion towards those same people in our own community who are the most underserved and the most needy, through the continuations of these type of services and I made at those same populations throughout our community. Thank you very much.

>> Mayor Adler: Thank you.

>> I'll be leaving you some information.

>> Mayor Adler: Thank you. Is Cynthia Valadez here Cynthia Valadez? Is Alejandro here?

[9:01:51 PM]

You have three minutes.

>> I'm Bob batlin representing Austin interfaith. I saw the mayor's Facebook post showing Austin is the safest city in Texas. We appreciate our public safety personnel. We also want to thank you for funding measures that crate the environment that prevents crime. I will be concentrating on preventative measures today. We're asking you to do more to improve Austin's workforce, help all who do work -- do city work, afford to live here, support parents and teachers, provide after school programs for those who need them the most, allow more parks to be used in the evening, and treat those experiencing homelessness with respect. All contribute to the overall quality of life and safety to our city. There's a large unmet need for nurses and I.T. Workers. Capitalled why is successful? Helping people living in poverty qualify for these jobs and contribute to the tax base. Graduates averaged \$11,000 here year before entering the program, and average over 40k to start on a lucrative career path. We have increased enrollment and decreased our cost for success over the past two years. Unfortunately, many great candidates are not ready for college level courses. Our college prep academy, the 12 bee cave boot camp gets them prepared. They avoid taking remedial classes and we avoid the greater expense. Please increase funding for college prep academy and additional students enrolling in nursing and I.T. Programs. Paying a true living wage is an elusive as operational goal. Task force reported to council in June of 2015 using 2014 data that it would take at least \$16.83 per hour to meet the objective. A \$15 living wage for fy18 would put us on track to minimally achieve the 2014 goal by 2020.

[9:03:51 PM]

Currently, living wage applies to all workers, permanent, part-time, contracted works, including construction workers, and temporary. We should not back slide by leaving out temporary workers. That would incense city departments to skirt the intent of a living wage. City investments for support specialists and prime time after had of school programs has led to better parent-teacher collaboration and help working parents afford after school programs for their children. Both lead to better educational outcomes. These must continue. Lighting parks for recreational use is a smart investment. Areas where community parks are lit in the evening for recreational use, crime rates go down. Please continue the work started last year to provide safe, secure public restrooms for the benefit of those experiencing homelessness. Thank you.

>> Mayor Adler: Thank you.

[Applause] Is Raul Casteneda here?

>> No, he's not.



>> Mayor Adler: That's okay. Hang on one second. Is Mr. Hirsch here? He'll be speaking at this podium. You have three minutes, ma'am.

>> Good afternoon, council and mayor. I'm here asking support to the siri project. The siri project is -- I think it's district 3. This is where I live. It began in 1993, and it's an artist program. Xerographs are lithographs, but they're better. This is a project that has been started and continued, and we really, really need the support our friend Sam started this many years ago, and he's nationally recognized and internationally in programming, so very few projects like this are in the country. I think there's one in San Francisco, New York.

[9:05:55 PM]

So Austin is very, very lucky to have this project. We need the project to just continue in Montopolis, to have a study to teach children how to do screen printing, have workshops and things in this area that's very, very underserved, like the kids said, you know, we need to have the same type of services available all over the city. So we really would appreciate your support and your consideration for this. Thank you.

>> Mayor Adler: Thank you very much. David King, you'll speak at this podium. Mr. Hirsch. Three minutes.

>> Mayor and members of the council, my name is Stewart Harry Hirsch and your discussions in work sessions have changed my testimony, so I'm here for two purposes. One is to talk about senior health care. The year after I retired as a city employee, I had a triple bypass. And because your predecessors had a fair sharing of the expenses related to out-of-pocket expenses versus city reimbursement, I'm still standing in front of you and I'm able to do a 10k and a five-mile every year with my sons, and take up boxing three times a week. So I ask you that you invest in seniors. We prefer not to die, even though it might save you money.

[Laughter]. The second thing I would suggest to you is that this conversation about Austin code was important. What renters, homeowners, and business people want is you to charge more for the fees for short-term rentals, houses and boarding house, and repeat offenders, and not increase the fees we pay on utility bills each month. Those are supposed to be cost of service programs, and if you're making us all pay for something that should be paid for the people who cause the expense, you need to change your fee schedule. In the last century, we used to charge based on bedrooms because that's really what the cost of service is in those categories.

[9:08:00 PM]

But we got stupid as the century turned into the new millennium and started charging flat fees that didn't cover cost of services. You keep raising fees for all of us. As a former renter, those of us who lived in very affordable housing pay the same amount as somebody who lives in a \$5,000,000 mansion, which doesn't seem fair on the face of it. So please focus on the code enforcement fees. I want your budget to remain neutral, but the people causing the expenses should pay for the fees, not all the rest of us. And

please underwrite the health care for those of us who are seniors so that we can live and be affordable to remain in Austin, Texas. Thank you very much.

>> Mayor Adler: Thank you.

[Cheers and applause]

>> Mayor Adler: David King is going to be speaking here. Is Dawn Saramrtas here? That's p-s-a-r. Is Janie Breesmeister here?

>> Thank you. I'm not going to use all the time. We heard about community engagement time from A.P.D., and I think we understand that's important for our neighborhoods, but, you know, funding for additional A.P.D. Officers should be contingent upon A.P.D. Implementing the changes to meet and confer recommended by the Austin justice coalition. The budget should be rebalanced so that public safety services consume a lower percentage of the total budget. And I ask that you please fund the initiatives and recommendations from the spirit of east Austin, the African American resource advisory commission, the Asian American commission, the hispanic/latino quality of life commission, and the mayor's task force on racism and institutional inequities. I also ask that you please be deliberate and increase funding for outreach to our east Austin neighborhoods for codeNEXT. They have been left out of the input. We need to be more deliberate and intentional in including them in this process so their voice will be reflected in the new code that is going to be with us for the next generation.

[9:10:05 PM]

And I hope that you will hear the feedback tonight and make sure that our budget is more equitable. And, you know, you probably have heard about the -- you know, when we talk about making things more equitable, there's -- the pie is only so big. So that means that we need to shift spending from one group and give it to another group. It's that simple. Please, make our budget more equitable. Thank you.

>> Mayor Adler: Thank you.

[Applause]

>> Mayor Adler: So here we have Jamie. Is Jennifer McFail here? What about Albert Metz? What about John Woodley? John Woodley will be at this podium. You have three minutes.

>> Thank you. Good evening, mayor and council members. My name is Jamie Breesmeister. I'm chair of the Austin commission on seniors. I'm here requesting your support for the budget recommendations adopted by our commission. The fastest growing age group in Austin are people age 55 and older. In 2010, seniors made up about 8% of the area -- Austin area population. In 2040, seniors will be nearly 20% of the population. And seniors are among the poorest households in Austin. In the Austin area, seniors have a median household income, \$11,000 lower than median household income for all families. Last fall, the council amended Imagine Austin and adopted the age friendly action plan to help prepare the city for the needs of this fast-growing population of seniors. And while just about everything that city government does does touch the lives of seniors, the commission on seniors prioritized our

recommendations to these. Implement the age frequently action plan by designating a staff person as a coordinator, and also by gathering current data on the senior and presenior populations to help with city planning.

[9:12:08 PM]

Increase funding for home repair. Much of that program serves seniors, and we believe it addresses both affordability and displacement. Increase funding for health care and social services for seniors. And fund replacement of needed new vehicles for parks. The parks department. Which provide transportation to seniors, including to meal programs. I'd like to recognize and thank councilmember kitchen for including many of these items on the concept menu already, and I request all of your support. Thank you very much.

>> Mayor Adler: Thank you. Is Anna defrades here? Ana defrades. Okay. Is Chou Noel here? Go ahead, Mr. Woodward. You have three minutes.

>> Hello. I'm John Woodley. I'm an advocate for disability access. I just want to be brief. I would like for you to polarize disability equity access, training, and fully funding the aid in the park recreation, transportation, housing, employment rules, and other departments, many of the non-profits in Austin, like the Austin tenant council, they need a lot more money. They can't handle the workload for, like, housing complaints, civil rights, discrimination issues, homelessness, they don't have enough to handle their current number of complaints. A lot of people get referred to like Rio grande legal aid which doesn't get involved unless there's an active eviction. I would like the city to focus on safety and vision zero to get our infrastructure put in place and make them safe and convenient for people to get on. So thank you.

>> Mayor Adler: Thank you, Mr. Woodley.

[9:14:10 PM]

[Applause]

>> Mayor Adler: You had some donated time from Cho ensure not ch --ou?>> From Julian nitch?

>> Mayor Adler: That's the next speaker. You have three minutes.

>> Thank you, Mr. Mayor. Mayor, members of council, my name is Ana, I'm here to testify in support of two recommendations that we made on the Austin commission for women. I am a member of the Austin commission for women, appointed by Pio Renteria in district 3, and this particular recommendation was passed unanimously, and it relates to our ongoing work around prioritizing the needs of sexual assault survivors in our community. This work that I'm about to recommend is an extension of the rape backlog efforts that you all invested in last budget cycle. But specifically this time around, we're asking for two budget items. First, we're asking for a one-time \$50,000 appropriation to fund the training of counselors in the private sector on trauma informed counseling care. We are anticipating that in exchange for this very particular training that is of particular need to survivors of

sexual assault, that those counselors will then agree to take on a certain number of pro Bono cases of individuals who have experienced sexual assault. The reason for this is that we've done a lot of great work around ending the backlog. There's been a lot of problems, but also a lot of progress. And, in fact, we anticipate that A.P.D. is set to clear the backlog in October of 2018. But that means that victims who have been waiting months, years, and sometimes decades for the results of those tests are now being contacted out of the blue, seemingly, from law enforcement.

[9:16:13 PM]

We believe that that can inspire trauma and folks should have access to resources in the community if they're contacted with such news. The second item that we'd like to -- that we'd like to make is in regard to victim services staffing within the Austin police department. Before I share this recommendation, I want to emphasize that I'm standing here in solidarity with communities of color united and asking that this recommendation be funded through a.p.d.'s existing budget, and be prioritized within their existing budget. Victims services has, in 2016, lost 10 staff people, and has only partially recovered those folks since that time. Right now, it is our understanding that there are only three victim services counselors at A.P.D. Dedicated to working sexual assault cases. That means that the 25 to 30 reported cases of sexual assault in our community have access to only those three counselors for updates regarding their case, updates about their DNA test, updates about what next. These are critical positions within the department that make a big difference in restoring much-needed trust with our relationship to law enforcement.

[Buzzer sounds] I want to thank you for your time and for the opportunity to serve on the commission. It's a real honor to serve this city, which I love so much.

>> Mayor Adler: Thank you very much.

[Applause]

>> Mayor Adler: Julie nitsch? Julie, I have two people donating you time. One of them, Julie, is Alicia Weigel. Is she here? Then Chris Kaiser. The next speaker, come on down to the podium, please is Na kia Winfield. You have seven minutes. You're the last of the speakers before we have one-minute each because you have three minutes plus two minutes plus two minutes.

>> Okay. Thank you.

[9:18:13 PM]

My name is Julie an nitsch. I'm speaking in support of the two recommendations she just oke of. I'm speaking in support and solidarity with the colors -- with the communities of color united in requesting that this be taken off a.p.d.'s existing budget. My personal experience with sexual assault did not begin with A.P.D., and it has not ended with A.P.D. My experience began when I was three years old. After years of wondering what happened to the man that abused me, at the age of 15, I asked my mother. Her response still shakes me to the core. Surely he's done it to someone else by now. They always do and I'm sure he's been caught. I know that her words were meant to comfort me in some manner, but

they never have and they never will. They actually did the opposite. From then on, I would wonder what little girl he was hurting, and I would feel an immense amount of guilt, wishing that I could do something for her. Because the fact is that most rapists -- and I mean most, as in 90% of them, are repeat offenders. And I need you to understand that going forward. In the summer of 2010, in Austin, Texas, a man pride my back patio door open, he tied the doorknobs of my bathroom and my roommate's bedroom together so that she could hear me scream, but she couldn't help me. She called 911. A.P.D. Broke down my front door. And they came into my room pointing guns at me. After going downstairs, I was asked where I had been, how much I had drank that night, what I was wearing when I walked home, and why I had walked home. Beyond that, in an extremely accusatory way, the police officers asked me why I lived in such a low income neighborhood.

[9:20:15 PM]

And then they asked me if I sold drugs. They did not fingerprint anything. They did not even act as though they were investigating a crime scene. They simply took me to the hospital where I was further humiliated and further violated. I thought I was doing the right thing, and I allowed the rape kit. I was then told by the officer they would contact me in six to eight months. I even returned to the station to give a statement where a very large and seemingly uncaring man told me, well, if I didn't know who it was, there was really nothing much they could do for me. So I waited six months, and then I waited eight months. And now it's been seven years. And I've never been contacted. I wish I could say that I'm fine and that I've gotten over it. Most people that know me think that I'm a very strong advocate and strong person. But that's not the truth. The truth is that I tell people I'm too cold to go out in the winter, but I'm not, I'm just afraid of the dark. The truth is that you've never seen me at an event at night unless I'm accompanied because I never leave my house at night. And I haven't since then. I wish I should say that I'm a very unique case. But I'm not. Most women have had an experience similar to mine. And we all hurt in different ways. For me, I lie awake thinking, and I often run home before the sunsets, afraid, because I know he's doing it to someone else right now. And I know that statistically, he is. I urge you to take this very small step to help women that have reported these crimes.

[9:22:16 PM]

And I'd like you to take into account that most women don't report, and that if it happened to me, I wouldn't report it again. So please take this very small step and please hold A.P.D. Accountable for all the rape kits that come back as repeat offenders. And according to most of the research I've done, a very large portion of them will. Please allow us to have some healing and allow women to have some sort of resources when this happens so that one day, hopefully we'll see justice. But at least we can begin to heal. Thank you.

[Applause]

>> Mayor Adler: Nakia Winfield, you have one minute. And then Kristen lenau, you'll have one minute when Ms. Winfield is done.

>> Good evening. I'm the mental health policy fellow for the national association of social workers, Texas chapter. I am here to support the amendments that both of those ladies were just speaking of, for the reasons that Kristen was speaking of them. I am also here in solidarity with communities of color united and support all of the recommendations that they've made, as well as the ones from ajc. Texas has an inadequate mental health workforce. Austin does as well. Most people when they think ptsd think of inventories. However, the largest population where sexual assault survivors. When the tests have been completed decades after they've submitted it, those people are triggered. It causes a lot of disruption in their lives, lives of their employers, and lives of their families. And in order to help avoid that and prevent that, we would like to have that \$50,000 one-time grant to be able --

[9:24:20 PM]

[buzzer sounds]

>> Oh, my god.

>> Mayor Adler: Finish your thought.

>> To be able to train non-profit, as well as private practitioners in trauma training.

>> Mayor Adler: Okay. Thank you. After Kristen on this side, then Preston Tyree. Is Preston Tyree here? You'll be at this promise.

>> My name is Kristen Lynell, in district 5. I work as a sexual assault advocate and I see the impact that the violence has to people firsthand. Counseling is the most frequently requested resource that we see, and most people can't afford to pay a private therapist and they certainly can't afford to get sessions beyond what a low or no-cost provider can give them. So I'm asking you to support that one-time training in exchange for therapists in our community to see survivors pro Bono. I'm also here to speak in support of victim services. They are with people in their darkest hours, emotionally and logistically providing transportation, housing referrals, mental health needs, and safety. And so we feel that they are a critical component to this as well. I want to say that I do stand in solidarity with ccu in asking that these resources be prioritized within existing budgets.

[Buzzer sounds]

>> Thank you very much. Sally, is Sally here? You'll be at this podium. Circumstances sir, you have one minute.

>> Good evening, mayor, mayor pro tem and council members. I'm a resident of district 9. I'm a resident of Austin. I'm a member of the public safety commission. I'm here to talk about the private citizen and not as commissioner. I want to talk about one number, the number 13, and one term, community engagement. Community engagement is the time an officer has to interact with members of a community without being on a call. This is the time that allows an officer to become a member of the community and not always be in the role of enforcer.

[9:26:26 PM]

Let's talk about the number, community engagement throughout the Austin area is 22% or less than two hours per shift. The national average is 35 to 50. That's a 13% differential from the minimal level. That is a difference of more than one full hour per shift. We've had two studies that say we should reach that 35. The mayor's task force on institutional racism and systematic inequalities called for A.P.D. To reach that.

[Buzzer sounds] Please work to get the funding for the officers we need in the budget.

>> Mayor Adler: Thank you, sir. Collin Wallace, you'll speak next and you have time donated by John Rooney. Mr. Rooney is here. You have one minute. Mr. Wallace, you'll have two minutes.

>> All right. My name is Sally Walsh, I adopted my neighborhood park in district 5. Thanks to city staff, I learned that I could help my naked park through park adoption and by becoming a habitat steward, go Austin vamos Austin, submit 744 and 45 to amplify our voices. Thanks to working with the Austin parks foundation, we have fund raised from building benches from tennis courts to installing outdoor fitness equipment. We want to thank the city council for helping make our parks safer this year with funding for improved security lighting, but volunteers can only do so much. I ask you as a taxpayer to fund so that ever neighborhood has a welcoming park and ever resident has access to a pool or swimming hole. I support the request submitted by Austin parks foundation and other parks groups. These estimates are critical to keeping our city fit. I also ask you to consider a bond election to bring functioning and fun pools to underserved areas of Austin. Because the tight is funded --

[buzzer sounds] Thank you.

>> Mayor Adler: Mr. Wallace. Two minutes.

>> Mayor, mayor pro tem, council, thank you for the time to address you tonight. I'm going to cut to the chase. Austin ranks number 46 out of the top 100 cities when it comes to our parks.

[9:28:30 PM]

We are not doing a great job. We spend about half of what the top ten cities in the country spend. Our parks department has about \$700 million worth of repairs to get the parks where they need to be. I know this is a challenging year but the budget simulator you put out in the field overwhelmingly said our citizens in all of your district ranked parks as one of the most important things to enforce in. We are asking you to prioritize your investment in our parks this year. We're joined by our partners in the community, as well as other Austin stakeholders, the trail foundation, the shoal creek be conservancy, barn Barton springs conservancy, waller creek conservancy, and many others in asking you to prioritize investing \$5,000,000 into our parks. It's for things, lots of things you've heard about tonight. Maintenance funding for pools. I won't -- I won't beat the pool's horse any more. For money for staff to conduct safety and maintenance, a million dollars for the estimated \$140,000,000 just to bring our parks up to Ada compliance. These aren't bells and whistles. These are essentials. So we respectfully ask you to please make this investment. The parks foundation, along with our other partners, have been doing

this work for many, many years, and we will continue to do our part. We're simply asking you to do the same. Thank you very much for your time.

>> Mayor Adler: Thank you. Is franni Sanchez here? You'll be up. You have a minute. And is Lisa sledge here? Lisa sledge, you'll be at the other podium.

>> Hi. I want to start by thanking the mayor and council for your time in recognizing our local council person, Leslie pool. We've enjoyed the benefit of having an advocate for our green spaces.

[9:30:31 PM]

I was born and raised in Austin, and I now take my son and daughter to the exact same parks I played on as a child. Sometimes they look exactly the same. After my daughter was born, it was hard to even visit the playground because I couldn't chase my totaller toddler over uneven surfaces with a baby strapped to my chest. My group of mothers decided to contact the parks & rec department and I found out there's a \$700,000,000 list of backlog projects and nowhere near the budget to fund these. Our grassy Gracie woods park is on this list. I'm adopting the people who say it's safe, then they say we know the park is in bad shape. We don't have the budget. I'm asking the council to please consider the children and parents spending time at these failing parks, many of whom live in apartments and their access to green space is limited.

[Buzzer sounds] I ask you to support the proposal to increase the parks & rec department by \$5,000,000. Please support the magic that happens at these parks.

>> Mayor Adler: Is Cynthia Rodriguez here? Cynthia Rodriguez you'll be at this podium. You have donated time from Carmen. Okay. You have one minute.

>> My name is Lisa sledge, and my son buckie attends the Mcbeth recreation center every day. And I'm president of the friends of Mcbeth. The Mcbeth recreation center provides programs specifically designed for people with special needs. They have a year-round adult program that serves 32 adults, ages 22 and up, with a wait list of 30. Mcbeth also offers three summer camp programs, all with large wait lists. They offer nine special olympic sports. Our sports programs serve 200 individual athletes, eight years and older. One reason I loved this program for my son is that there were four recreation therapists on staff. They have plan activities that keep the adults moving and engaged.

[9:32:32 PM]

They have rowing, rock climbing, hiking, cardio crazy, arts and crafts, kitchen classes, and go on field trips throughout Austin. All of these activities have been adapted to fit each individual need person with special needs.

[Buzzer sounds]

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



>> Tovo: I wanted to ask -- I wasn't sure if you had a specific request that you didn't of a chance to get to.

>> Well, yes.

>> Tovo: I just wanted to invite you back up to finish on that front.

>> Yes. Well, our building at Mcbeth, it was built in the 1950s era and it's constantly in need of updating. We have a ramp that is on our grounds that is not Ada accessible, and it's too expensive to repair. We have a door to our annex building, sliding front door, but, you know, we just don't have the funds to repair it. Mcbeth would like to increase programming and staff, but our budget restraints, we have a need to supplies, adaptive technology and many other items. These are just a few of needs. I'm asking you to support the proposal to increase budget by five million dollars as outlined by the Austin parks foundation and park advocates. Thank you.

>> Tovo: I appreciate it. Thanks.

>> Mayor Adler: Okay. Before you start, we have Ryan Neil. Is Ryan here? Ryan? You'll be up next on this other podium.

>> So I will be -- yeah. I'll be donating my time to present a video by Annie Harton, a park adapter from the onion creek greenbelt park in district 2. It's a three-minute video so we're going to start it at the one minute.

>> Mayor Adler: Okay. Thank you.

[9:34:37 PM]

[Video playing.]

[Buzzer sounds]

>> Mayor Adler: Is Rhonda Rutledge here? Okay. Then Ryan Neil is up next. And I have some donated time from Laura away. And from Robert burns.

[9:36:38 PM]

Is Robert burns here? No. You have two minutes.

>> I'd actually like to give my time to Hannah Franco who probably won't be able to testify when she's called.

>> Mayor Adler: And your name is?

>> Hannah Frankel. Good evening. Thank you for listening to me tonight. I'm a member of the economic prosperity commission, though I'm speaking for myself tonight. I also serve on the joint sustainability committee. What I'm here to speak to you tonight about is the recommendation from the economic

prosperity commission that we invest up to \$80,000 for requests for proposals to research and provide development services and strategic planning services to cooperative housing. I have lived in cooperative housing for ten years, and I have seen the benefits it provides to me and my community. I'm also a licensed clinical social worker and I've seen the benefits it provides to the members of my community from that lens also. The rfp that we're seeking is a lens of -- in light that the city of Austin has committed to the construction of 135,000 new housing units. Cooperative manage is tenant managed housing. It can exist as apartment complexes, which one I live in now functions as. It's typically available at 50-70% of prevailing market rates. The apartment complex apartments that I live at is affordable to people earning 25% or less of median family income. We work with section 8, veterans programs, front steps, several other local non-profits to prioritize for their folks. We're proud of what we've got. We've done the preliminary research to support the social benefit and the immense return on investment of cooperative housing, as far as affordable housing dollars.

[9:38:38 PM]

We have been able to create affordable units for \$27,000 per bed. That's affordable to 25% less mfi in perpetuity.

[Buzzer sounds] If I can finish my sentence.

>> Mayor Adler: Yes.

>> By way of comparison, one of the permanent supportive housing budget items in this year's budget, which I think is amazing and serving different folks, so I'm not -- not knocking that. But that is -- identifies \$27,000 per year for households to provide affordable housing, which again is something that we are able to do for our affordable housing clients in perpetuity. So we have a wonderful model. We'd like to see it scaled. We'd like to see the city give to other people the benefits we've enjoyed.

>> Mayor Adler: Thank you very much.

>> Thank you.

>> Mayor Adler: Is Christina brown here? Christina brown?

[Applause] Yes. Come on down.

>> Tovo: Mayor?

>> Mayor Adler: Yes.

>> Tovo: While the group -- thank you so much, those of you who just spoke about co-ops. I want to thank you, and let you know if you weren't here this morning, that the council did pass the resolution regarding the funding -- how co-op housing developments would be treated within the funding mechanism at the city. So thank you all for your work on that issue.

>> Mayor Adler: Donating time to Christina brown is Brian Mcgovern. Matt, you'll three minutes.

>> Mayor Adler and councilmembers, I'm executive director of sustainable food center and serve as chair of one voice central Texas. One voice is a coalition of a hundred non-profit human service agencies, working to make sure that everyone in our community can reach their full potential and contribute to the community. We are a critical part of the community's public safety.

[9:40:39 PM]

Our members work closely with public safety officials, and we understand the critical role that they play in our community. We'd like you to consider public safety in a broader context and understand the role that our members play in addressing public safety and reducing cost to the more expensive parts of the system. For example, last year A.P.D. Took close to 12,000 calls related to mental illness and conducted more than 5500 emergency detentions. That's up from 10,000 calls and around 52 detentions the year before early intervention and effective mental health treatment can reduce these calls. As you make these critical decisions around this budget, we ask that you consider that your social service sector --

[buzzer sounds]

>> Mayor Adler: You can finish your thought.

>> When appropriately resourced can help make our community safer, address income inequality and provide a foundation to reach full potential. The city council adopted resolutions and made a formal goal of information 11.9 million in additional funding for social service contracts over the next two to four years. We're asking you to honor your commitment.

>> Mayor Adler: Thank you.

>> Thank you so much.

>> Mayor Adler: Thank you. After Ms. Brown speaks, Iowa solovitz, Frances Phillips, mark Mckim, mark Mckim, you'll be up next. Ma'am.

>> Good evening. My name is Christina brown, and I'm speaking on behalf of counterbalance atx and myself. I live in district 3. Thank you, council, for your time. Today, counterbalance stands united with all the organizations that will speak tonight and the various stakeholders in each district within the city, and our request to end the [indiscernible] Process that is currently draining the city's needed resources. The meet and confer process was created as an experimental opportunity to create a better system of accountability and transparency than the previous system created by the state law.

[9:42:42 PM]

That opportunity has come and gone. The citizens oversight that was the original intention of this process has not been achieved and has enabled our police to become the highest paid in the state. Austin was named as only one of -- was named one of only six of the nation's largest 100 cities to fail on all six police accountability metrics of campaign zero. Austin is spending 68% of its discretionary budget on public safety. 17 million of this year's 59 million planned budget increase is already allocated for

police. Just this morning another lawsuit against A.P.D. Was announced involving a young man, Matthew Wallace, who was brutal aid in a video that went viral for simply jaywalking. This event is yet another example of police misconduct that has to be handled in the courtroom because there is no effective internal systems for police accountability and transparency. This behavior is the inevitable result of the current A.P.D. Contract. The only option is to achieve real reform by ending the meet and confer process, to free up -- to free up the preliminary analysis of about \$6,000,000, which has already been discussed tonight, and is currently locked up in the infective process which places alternatives that are arguably more effective for public safety. My question to this council is at what point as a community will we stop footing the bill for a broken process and step up to fix the obvious systems levels failures that we are now experiencing.

[Applause]

>> Mayor Adler: Is Sharon Blythe? I'm sorry, Sharon Blythe. After Sharon, Keith Lofton.

[9:44:50 PM]

I hope so Connelly? You'll be at this podium.

>> Mayor and council, my name is mark Mckim, I'm with undoing right supremacy Austin and I live in district 1. As you heard tonight and already know, budgets are moral documents and you as a council have the responsibility to use the city's money wisely to address the most marginalized populations. I stand with communities of color united and their recommendations to apply the equity lens that you've developed in this budgetary process development and in codenext and any other city business. Specifically, we'd also like to see an increase in funding to the equity office in order to provide equity training to city staff, develop a community advisory accountability body, and hire staff needed to begin applying the equity tool for city departments and budget allocations. Also an increase in funding to Austin public health to increase the capacity of the health equity initiatives and increase in funding for low-income housing, and as we've heard tonight, also cooperative housing. How can we do this? If we freed A.P.D. Budget, we can do a whole lot of all the things that people have said tonight.

[Buzzer sounds] Please invest in true public safety which is the parts of the equity lens, et cetera. Thank you.

>> Mayor Adler: Thank you very much. Is Chris Harris here? You have donated time from letocia Taylor. Is she here? What about Franklin? You have two minutes.

>> My name is Ron paolo. District 4. I'm going to be brief. I want to add my voice to Kathie and everyone else that spoke about not renewing meet and confer. Basically, we can't talk about meeting community engagement goals or anything like that without also talking about a problem of trust, and that's what I want to talk about here today, is just that we can't -- trust isn't something that you can just walk in and demand from people.

[9:46:53 PM]

You have to build trust over time. And right now, our feedback mechanisms are completely broken. There aren't effective feedback mechanisms by which the community can complain about police officers malpractice, police officers' unethical behavior. So by acting as sort of a shield that protects unethical or poor police behavior, the meet and confer process actually gets in the way of building increased trust between police officers and the community.

[Buzzer sounds] So I would ask that we end meet and confer. Thank you.

>> Mayor Adler: Thank you. Is polly here? You'll have one minute. Mr. Harris, you have two minutes.

>> Thank you. I'm in the coalition of organizations that have attempted to insert community priorities into the next police contract. We came forward with eight reforms to the contract that we've -- we felt would provide a bare minimum of accountability, transparency, and oversight people deserve from their force. What we've seen we've got one of the eight. The entire point of meet and confer was more accountability and oversight. Since we don't have it and won't get it through meet and confer, why not take the \$6,000,000 that we would get from ending that and real indicating it to all these other great causes that will actually help public safety even more than just more boots on the ground. In addition to being unaccountable, opaque and untangible to the community, there's a good deal of evidence that the police are poorly deployed at best. I'm completing a report examining the booking at Travis county on behalf of just liberty, and council will receive a full write-up next week. From October 14th to November of 2016, over 17% --

[buzzer sounds]

-- Of bookings into the county jail attributed to A.P.D. Were discretionary, consisting of last C misdemeanor and eligible observances.

[9:48:54 PM]

If this is what our police are focusing on, 17% of arrests are on these minor offenses, why do we need them or why are they doing that? We need our police focused on other things, and if they don't need to be doing other things, we need to be putting that money towards other, more important avenues.

>> Mayor Adler: Thank you very much. After holly, the next speaker we have is Jonathan Davis. Is Jonathan Davis here? Jonathan Davis. What about Mamie staus? Jonathan Davis? Okay. Jonathan Davis will be at this podium here. Ms. Kirby, you have one minute.

>> Thanks. Good evening. My name's holly Kirby. I'm representing grass roots leadership. The city could save more money and better serve our communities by ensuring A.P.D. Stop unnecessary arrests to reiterate, like Chris Harris was saying, as much as 17% over a two-year period of all A.P.D. Arrests were for exclusive civil non-jailable misdemeanors and offenses, they were completely discretionary. Of those discretionary arrests, a third of them were black people. This is crucial in that it further demonstrates the pattern of racist, criminal justice outcomes in our city that must be addressed. We should implement policies that ensure that officers are not making unnecessary arrests. Specifically we could ban arrests for non-jailable offenses and under state law, they could just be given a citation for. We

know jail time, however brief, can have devastating impacts on people and their families. We should be limiting criminal justice involvement whenever possible. I strongly urge the city and A.P.D. To assess how much of our resources are being wasted on unnecessary arrests.

[Buzzer sounds] So many others tonight, particularly communities of color united, have stated here that there are far better and critically needed ways to allocate our funds. Thank you.

[9:50:55 PM]

>> Mayor Adler: Thank you ve ry much.

[Applause]

>> Mayor Adler: Mr. Davs? Mr. Davis, you'll be next, then Mimi styles.

>> We're going to be switching places if that's okay.

>> Mayor Adler: That's fine. You can go first, you have one minute. Then Mr. Davis.

>> Good evening, council. I'm president of measure. Measure is an Austin based non-profit that works on behalf of underserved communities and I work with the Austin police department for the last couple years. I found out why both police and community want -- we want the same things; right? Safety and respect, but in most cases, in which we communicate the effectiveness of these things becomes lost, in translation. Now, for this reason, what this measured actually does matter. Performance goals for the Austin police department do not meet the community policing standards that organizations like mine and several others here have been fighting for. In June my team delivered a brief at the request of Austin police department, which included an assessment and performance measure recommendations using the matrix report and the president's task force in 21st century policing. This week we also created a report to get to you all today. Traditional and current measures captured --

[buzzer sounds]

--

>> Mayor Adler: Wait a second. Do you have time donated to you from Roy woody? Is Roy woody here?

>> Oh. I think he might have just left.

>> Mayor Adler: You can finish your thought.

>> Awesome. So traditional measures that are now captured in the current budget, in the proposed budget, do not meet the community policing objectives, what we're looking for. Instead, these are -- you know, we're measuring arrests or measuring, you know, crime -- crime, and in keeping our police officers basically occupied, whereas they could be actually working on some of these initiatives that we've been working so hard for.

>> Mayor Adler: Okay.

>> I'm concerned that given city's budget priorities and the current national priorities, community policing and/or work towards a more data-driven, evidence-based 21st century police department is going to become a shrinking priority.

[9:53:11 PM]

>> Mayor Adler: Thank you.

>> Yes, sir.

>> Mayor Adler: Thank you.

[Applause] Is Carmen -- I think we just had a moment ago. Monica Guzman? You'll be at this podium. Mr. Davis.

>> All right. My name is Jonathan Davis. I'm vice president for measure, along with Mimi here, and I just wanted to quickly bring to attention a point in regards to the budget. One thing that I think we lose focus on in terms of the budget, whether it's more or less money than we're allocating to a particular department, is what the performance measure and management goals are, wherever that money is being allocated. Mayor Adler, back on May 13th, you provided -- you provided a request in terms of what the performance measures are police department. You'll see in your sheets, violent crime, property crime, response time, sworn personnel, traffic fatalities. For the police department, what that means, they are meeting those goals, they are therefore successful. But what it doesn't take into account, for example, is reduction in overall use of force, reduction in critical incidence against unarmed individuals. It doesn't take into account the number of citizen complaints against officers, police brutality, misconduct, it doesn't take into account suspensions, nor does it take into account the --

[buzzer sounds]

-- Gender, race, ethnicity, socioeconomic status, and therefore, however Austin police department is acting and is performing, it will be deemed successful regardless of those factors.

>> Mayor Adler: Thank you.

>> Thank you.

[Applause]

>> Mayor Adler: Is Abraham Walker here? Is Abraham Walter? What about Freddie Gonzalez? What about Madeline Hellsmith? Is -- do you have Madeline Hellsmith? Then I think you'll be up next. You have time donated by Taylor Quigley.

[9:55:19 PM]

Here? No? Gatlyn Johnson. You'll have two minutes.

>> Thank you. While I wear many hats tonight, tonight I stand here as a district board, eastern crescent resident and member of the equity action team. As you work through the city budget, I ask you to do so in an equitable manner. Invest equitably in departments, initiatives, and projects addressing existing inequities, and the social determinants of health for eastern crescent residents. Examples include access to healthy food initiative, increased availability of and access to parkland and green space. Housing affordability, especially for the homeless, and those at or below 60% mfi and holding slum lords accountable. When the city invests in the most vulnerable, everyone benefits. Thank you.

>> Mayor Adler: Thank you.

[Applause]

>> Mayor Adler: I think you have two minutes, and then is Carol Lily here? Carol Lily? What about Teddy Garber? Mr. Garber, you'll be at this next podium. Ms. Hellsmith.

>> Thank you for your.

(. I'm on the board of directors of the Austin cooperative business association. I'm here tonight to ask that the recommendation put before you by Ms. Frankel be included in the fiscal year's budget. We saw resolutions passed this morning directing the city to break down several barriers to cooperative housing development. In light of our present affordability crisis, it is vital this not become an unfunded mandate. An investment in co-ops is the investment in provable affordability option. Financing and zoning stand to the largest areas development of new cooperatives, and we ask the city make an affirmative effort have an informed understanding of our model. I believe the rewards of this research greatly stipulate the investment. We believe the city stand in solidarity with the Austin justice coalition and community of colors united, and I ask for an end of meet and confer, as well as a freeze on A.P.D.

[9:57:28 PM]

Budget. In order for the city to farmer affirm a commitment to affordable housing and breaking down inequalities across Austin allowing all austinities to live in dignity. That's all. Thank you.

[Applause]

>> Mayor Adler: Thank you. Is Karen Metz here? Okay. Then I think you have time donated to you by Celeste Epstein. He is Celeste here? You have one minute when you speak. You have one minute, sir.

>> Thank you. I would just like to emphasize that I think that all eight points that were raised in terms of police accountability should be adopted, and since it appears only one of them has been adopted, I would liked to end of meeting confer and to use the millions of dollars more efficiently because as other people have mentioned, we can do more for public safety than just continue to fund a department that won't take the recommendation. So I'd like -- I'll just urge you to consider all eight recommendations seriously. Thank you.



>> Mayor Adler: Thank you. Is Victoria hendrixer? Victoria Hendrix? No? Is Joey gidsek here? Yes? And then I think you have some donated time from Amanda Weems. Is she here? No? Is Martha Chang here? You'll have two minutes. And you have one minute, I think.

>> My name is Karen. I'm a lifelong resident of Austin and I do not want to move. I am representing both boomers collaborative, a group of baby boomers who wish to age in place in a cumulative community, and armadillo co-housing, a multigenerational group who wish to create a co-housing community. Both groups are members of the Austin cooperative business association.

[9:59:30 PM]

We encourage the council to support the epc recommendation number to include it in the city of Austin's budget concept menu. Let's build community with sustainability. Thank you.

>> Mayor Adler: Thank you very much.

[Applause] Is Bob Hendrix here? Bob Hendrix? No? Is Lauren hortat? Okay. I think you have donated time from rob brill. Is he here? No? Is Angela Benavides Garza here? No? You'll have one minute.

>> Yes, sir.

>> Mayor Adler: You have two minutes.

>> Thank you. Good evening. My name is Joey and I'm here with Austin justice coalition, and left up to us, and I have something pretty simple, simple thing to tell you. So I imagine that some of you have children, and I'm sure that they're angels. But I want you to just picture in your mind that one day you get a call from the teacher, and the teacher is like, little Johnny was throwing rocks at recess, and he knocked kids down and he made them cry and he left. I'm sure you're thinking, oh, my gosh, Johnny, that's my baby! How could he do that? What should I do? And so I'd like to say that whatever you do, it would be more than the Austin police department currently does to hold their officers accountable for their no accountability equals no reason to change because why should they care? Our police force must be held accountable for their action to the community so I urge you to adopt all eight community representations or let the police contract expire. Thank you.

[ Applause ]

>> Mayor Adler: Thank you very much.

[10:01:37 PM]

Whom I with here now? Is a Sandra champion here?

>> She's to go home.

>> Mayor Adler: She had to go home. What about Richard Franklin is here? Richard Franklin? I don't see him. Elizabeth avagne? Elizabeth avagne. You have time donated to you from flora. Is flora here? No? You'll have one minute. Proceed.

>> Good evening. I would like to share why I also want to support the elimination of meet and confer. Within the last 14 months, at least two young men of color have been shot and killed by A.P.D. In my neighborhood alone. They were each experiencing a mental health crisis which prompted the 911 calls and this led to their deaths at the hands of our peace keepers. I have had to warn neighbors and friends multiple times of the dangers of calling 911 when someone is unstable or when the person involved has dark skin. This is not how our city should be operating. Citizens living in fear of those who are paid to protect them causes a detrimental lack of trust and will ultimately lead to more violence and crime in Austin. Austin has the opportunity to create greater transparency and accountability for our officers. So we can all work together for safety and security in our neighborhoods. We need to see better before more, which means implementing all eight of the community recommendations, otherwise --

[ buzzer sounding ] Eliminating meet and confer is our only other option. Thank you for your time.

>> Mayor Adler: Thank you very much.

[ Applause ]

>> Mayor Adler: Is David Pinkham here? No? Is George coffer? Go home? Is Candice ailer here? What about Beverly Lazar. Why don't you come on down? Who are you, please?

[10:03:37 PM]

>> Candice.

>> Candice, okay, I'm sorry. Candice ailer, you have donated time from two people. Is Ben here?

>> Right here.

>> Mayor Adler: Is Michael knockbar here? You'll have three minutes. You have one minute.

>> My name is Beth

[indiscernible] And I live at rose co-op in district 1. We want to thank you for passing the resolution this morning setting goals to integrate co-ops into Austin's housing landscape. Because the co-op structure remains a new concept for many people we are requesting a study to work in tandem to investigate how to most effectively coordinate co-ops into existing affordable housing programs looking at cities that have successfully done so around the country. We have seen 40 to 70% of surrounding property rates and although this solved our own affordable housing situation we are passionate enough about all the benefits they provide to pave the path to have this dignified affordable way of living. In my one years in co-ops my house mates and I have benefited greatly. Financially and our health by pooling money to buy fresher food and share home cooked meals. We have saved time, helped the environment by sharing utilities and experienced personal growth through leadership positions and interpersonal development.

[ Buzzer sounding ] We can also greatly address racial and socioeconomic inequities through co-ops alone, having people live more centrally in neighborhoods that are increasingly becoming gentrified. Thank you for your time.

>> Mayor Adler: Thank you.

[ Applause ]

>> Mayor Adler: Is Beverly Lazar here? You'll be down here next. You have one minute. You have three minutes, mal.

>> Thank you, mayor Adler, thank you, council. My name is Candice ailer, I am a nurse and a mother in the community. I'm also the mentality health policy lead with Austin justice coalition. I work with measure and I was on the mayor's task force for institutional racism and systemic inequity.

[10:05:42 PM]

Last year ajc brought to y'all the proposal to hold off on getting more police officers until some work was done with the community. That better before more didn't work. That work has not been done with the police department. Now, ajc has proposed eight items that we now would like to see put forward, but if those items are not accepted as others have said, we strongly urge to end meet and confer. Now, I have worked as a nurse in the mentality health system. I have worked at the state hospital. I've worked -- I have family members of that struggled with mental health issues and am very familiar with how this works in the community. After David Joseph's death, I asked to be involved in atcic and I worked on their planning and network action chi, trying to figure out how they were working with A.P.D. There was -- over the last year, no report given to us on how they were working with A.P.D. So this is what I know. What we're doing right now is not working. I know that the people that are going to pes are not getting the help that they need. They don't have the providers that they need and now we have the her man center and I'm excited about that. I hope that it works, but right now I don't have a whole lot of confidence. We're criminally criminalizing crisis and it's not working so I'd like to try to think outside the box. On the task force the recommendation I made was to make Austin a trauma-informed city, and I would highly urge that through freeing up funds or through the money that is -- additional money that is received from the city -- to the city with sb-292 from the state legislature that that's invested either in the Herman center nor building in initiate. My proposal was to create the office of resilience in Austin public health and I think this would be an excellent starting point to build a true transformation, many of the things people have presented to you today.

[10:07:52 PM]

On a personal note, I think there could also be some investment in removing and replacing all of the references to the representation of the confederacy in the city.

[ Applause ] And on a much more personal note, I want to thank Julie tonight. Without having the time or being able to -- or wanting to go into the details, we don't just need rape kits analyzed. We need a compassionate police force that cares about people and women that are assaulted in this city.

[ Buzzer sounding ] I personally have at least two friends who have been assaulted in this city. One of them lost her life. She was a special education teacher. She was a captain in the army and also a police officer and Colleen at one point -- in kileen at one point, an amazing beautiful person and A.P.D. Failed

her and she took her own life with her own weapon. Two and a half years ago. And I just really urge y'all to seriously consider the recommendations that came from Julie and the group she represented. Thank you.

>> Mayor Adler: Thank you.

[ Applause ]

>> Is drew [indiscernible] Here? Is drew? And then I have donated time from Susanne Lipman. Is Susan here? You'll have one minute then. You have one minute.

>> Mayor, councilmembers, my name is Beverly classes one minute is not very much time but I would like to echo everything that was said by Chaz moo and Joey and Kathy did not removing the meet and confer and I urge you to adopt and consider all eight recommendations. I'm here to support the Austin justice coalition.

[10:09:53 PM]

I last spoke at this city council around 2010 after the police killed Nathaniel Sanders, an African-American teenager. I spoke then about the need for more training and specifically training in deescalating thorny interfaces. I next spoke at the carver museum at an event I felt was just a sham. It was supposed to bring the community and law enforcement together and it was just a venue for law enforcement to say how great they are and what they're gonna do in the future.

[ Buzzer sounding ] And all I can say to A.P.D. Is shame on you.

>> Mayor Adler: Thank you.

[ Applause ] Is Alexa Johnson here? Alexa Johnson? You'll be up next, and you'll have one minute.

>> Thank you.

>> Thank you, council, I'm here supporting the Austin cooperative business association. I grew up in district 8, live in district 1 now. There's -- 2017 is such an important year, and it's important to have a proactive budget. Proactive budget. We have to be bold to create inequity and positive Progressive change. Segregated past requires bold arbitration but boldness does not mean risky. It means being proactive, creative, challenging ourself and challenging ourselves so please continue to invest in education for cooperative housing and sustainable affordable builds community, all things that will strengthen Austin for generations. Store generations to come. And I also support the eight points put forward by the Austin justice coauto litigation and the communities of color unite d. The only way we can make a strong Progressive budget happen is by freezing the A.P.D. Budget or letting the contract end.

[ Buzzer sounding ]

>> Mayor Adler: Thank you.

[10:11:53 PM]

>> Thank you.

>> Mayor Adler: Alexa Johnson. Is Elizabeth Scott here? Elizabeth Scott? You'll be up at this other podium. Go ahead.

>> I would like to voice my support for allocating significant portions of funding to provide low-income -- provide affordable housing for low-income families. As a social worker in east Austin, I have watched our families forced out of their homes, away from their businesses, schools, friends, social services and history. We must have housing that families can afford or our enrollment will continue to plummet. Families will continue to be displaced and our cities will continue to fracture under the beat of capacityism and gentrification. I would like to ask we set aside more money to study cooperative housing movement in Austin. Co-ops low cost of living, less than 40% of the apartments on the east side I wouldn't be able to live in my community ask serve my students. I wouldn't have been able to go back home to Pennsylvania when my mother was sick. The unaffordability, living in a co-op provided me with emotional support, community and a new value system. It taught me more about equity, cooperation and active citizenship. If our city is to thrive and support our citizens we must provide affordable housing for our families and the creation of housing cooperatives.

>> Mayor Adler: Thank you very much.

[ Applause ]

>> Mayor Adler: Is Daniella Nunez here? You'll be at this podium, please. Come on down. You have one minute.

>> I'm Glen Scott, representing left up to us and democratic socialists in Austin. Good evening. I live in district 1 and I'm -- we are supporting both organizations, the Austin justice coalitions eight point plan for police accountability. We're saying no more victims of officer-involved shootings, no more police brutalizing people of color or LGBT people in our community. It's time to say not one more victim.

[10:13:54 PM]

Y'all have expressed concern in the past, even outrage in some cases about the excessive use of violence in our community by police officers, but the problem is there's no consequence. The problem is there's no accountability. You've heard from many others here. The time for accountability is now. The eight point plan proposed by ajc is a well thought out fair plan to provide accountability. The fact that this is not being addressed in the negotiations process with the A.P.D. -- The Apa and the city is a tragedy and a very strong, horrible, missed opportunity. We are asking you --

[ buzzer sounding ]

-- To oppose the \$6 million increase in the budget and to support the eight point plan's fully adoption to have police accountability, not one more life lost.

>> Mayor Adler: Thank you.

[ Applause ] Is [indiscernible] Here? Marishica shoot? What about Debbie Russell?

>> My name is Daniella Nunez, district 4 commission on the public safety commission, president of the neighborhood association. Today I'm speaking on behalf of myself. I'm here to state that the city should provide more funding for social services and not spend more money on police. In my neighborhood, which is covered by the restore rundberg initiative A.P.D. Officers told us you cannot arrest your way out of homelessness, drug or sex work. I believe in that statement. We need more social workers and health professionals that are equipped to help people with mental health needs, addiction, and trauma. In addition, I support the request of the survivor project and ask that you ensure that victim services are adequately staffed to meet the needs of victims of sexual assault. At the may 2017 public safety commission I was shocked to see A.P.D. Had three counselors permanently assigned to sex crimes, woefully inadequate.

[10:16:00 PM]

A.p.d.'s existing budget should prioritize additional victim services personnel. In closing please prioritize funding for social services instead of spending more on police. Police are often called upon to address complaints that don't have a police solution.

[ Buzzer sounding ] We should use this budget Silas an opportunity to address --

>> Mayor Adler: Thank you.

>> -- Needs of community members who need housing and health care rather than put them at risk of further displacement by arresting them.

>> Mayor Adler: Thank you very much.

>> Thank you.

[ Applause ]

>> Mayor Adler: Is Naomi usaca here? What about Chris 10escamia? No P? What about Mike canade? You'll have one minute in a second.

>> One minute. Most of these proposals being brought before you today are considered best practices, long overflew and serve to save money, especially ending meet and confer. A.p.d.'s budget is unnecessarily inflated. We dedicate 11% of our entire city budget to A.P.D. San Antonio dedicates 5.3%. We've been on an Uber accelerated track despite the decrease in crime given population growth and despite studies that show there is no correlation between spending on police and crime. Since 2008, we've increased a.p.d.'s budget 60%, where our population increase 19%. And while the already strapped AFD and ems budgets remain stagnant.

[Indiscernible] Will scratch at the surface of starting to right this wrong. When it comes to public safety, when you meet in social service needs at pennies on the dollar you decrease the need for --

[ buzzer sounding ] Expensive, punitive and regressive measures. It's time to be smart on crime. No accountability. No money. Look at my email.

[10:18:00 PM]

There's no response to the citizens report for 2016 up. We see more hispanics being profiled last year, same amount of blacks, and we don't have a disclosure policy we need on body cams when they're sold us to as a tool of accountability.

>> Mayor Adler: Thank you.

>> Thank you.

[ Applause ]

>> Mayor Adler: Is Elizabeth Scott here?

>> I just spoke.

>> Mayor Adler: Elizabeth Scott? No? She just spoke. Elena Leone. What about presilla hale?

>> I'm it.

>> Mayor Adler: We'll get right back to you. I promise you. Shane Johnson. Why don't you come down and be at the other podium. Your floor, sir. One minute.

>> Council, my name is Mike. As an Austin resident and life-long consumer of the city parks I learned to swim at Bartholomew pool, worked at northwest pool, hung out with my friends at zilker park, watched my mom volunteer at Mayfield park and learned myself to volunteer at Barton springs pool and now I recently formed a new group the Barton springs convergesy to help give the city a chance to give back. So I'm here with the other parks advocates and Collin Wallace spoke eloquently about the needs for an additional \$5 million for the parks budget earlier today and without belaboring that I did want to at least burn this request into your mind with a short

[indiscernible] That I've prepared, going to make you grown. Bear with me. Now that the council has met for the 2018 budget to vet, we hope that you will grant an extra 5mil for our parks operating budget.

[ Laughter ]

[ Applause ]

[10:20:00 PM]

>> Mayor Adler: Is Shane Johnson here? You're up. What about Jen margalles? No. What about Kevin yea? What about Alexandra Castanada? What about Eleanor Earnheart? What about jorne Coleman?

No? What about uzi Mccoy? Uzi Mccoy? No? What about Timothy bray? Okay. Please proceed. Your floor, sir.

>> I can't have their time?

>> Mayor Adler: No.

[ Laughter ]

>> Thank you for the opportunity to speak. My name is Shane Johnson. I'm a resident of district 7. I'm also representing Austin justice coalition. And I just would like to provide a little more context for y'all to understand the benefits that A.P.D. Are receiving that you would expect would be given to police force that is extremely accountability to the community and is not failing them in many ways but which they receive nonetheless. So among cities of comparable size to Austin they receive the highest base pay in the state, have the highest step pay, so the increase or raises with accrual of sick and vacation time than allowed under state civil service law, higher termination payout of accrued sick and vacation time compared to state civil service law. That is often a payout of six months of vacation time when an officer leaves and they have additional longest bonuses.

[ Buzzer sounding ] So they get bonuses for seniority on top of getting raises for seniority. So I just want to emphasize that a police department that is not meeting the needs and account to be the community should not be receiving so many benefits it.

[10:22:07 PM]

>> Mayor Adler: Thank you for your time.

>> Thank you for staying so late.

>> Mayor Adler: Is Rosa Lee Miller here? Rosa Lee mill center go ahead.

>> Cool. So I'm here in support of Austin justice coalition and their eight points, getting at the roots of the problems. Not just trying to apply more police to those problems. I believe holding the police accountable will ultimately be projustice position and I don't think a projustice position is anti-police. I think it's better for everyone. I also wanted to support equitable distribution of resources. Historically a lot of areas have been underserved. We still have the legacy of segregation in our budget and I just want to make sure that we advocate for supporting those underserved communities more, not just the people who have been historically the loudest or call 311 the most often. As a resident of district 10 I want to see more funding in district 1, 2, 3, 4. I also want to support co-op funding to address the problems with co-ops, co-ops are very affordable form of housing. I have lots of friends that live in co-ops and people that would be kicked -- wouldn't be able to live in Austin without co-ops. Thank you.

>> Mayor Adler: Thank you very much.

[ Applause ]



>> Mayor Adler: Is there anyone signed up to speak this evening that I have not called? Okay. On I'll entertain a motion to recess today's public comment portion of the budget hearing. Someone want to make that motion? Mr. Flannigan makes the motion. Is there a second to that motion? Ms. Pool seconds that motion. Any discussion? Those in favor please raise your hand. Those opposed? It's everyone on the dais with Ann kitchen gone and troxclair is gone. It's late. The motion passes. So we are recessed.

[10:24:07 PM]

That was the last item that we had to cover this evening. So we are going to adjourn the meeting today at 10:24. Thank you.