

# City Council Regular Meeting Transcript – 2/15/2018

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[10:16:33 AM]

>> Mayor Adler: Are we about ready? Before we -- before we gavel the meeting to order, we're going to go ahead and start with invocation. Today we have with us brother Ian Lindsey, I think. Thank you, sir. Brother Lindsey, first counselor of the bishopric of zilker park ward, church of Jesus Christ of latter day saints. Would everyone please rise.

>> Dear heavenly father, we're grateful to come together as a city and spirit that will bless mayor Adler with eyes to see and ears to hear that they may be inspired as to the needs of the city and the ways that they can help the city move forward. We're grateful for their service and those who serve with them and we pray thou will bless them and bless those who will speak today or present in various ways that they may be inspired as well. That thy will be done and we pray in the name of Jesus Christ, amen.

>> Mayor Adler: All right, I'm going to call the meeting to order. Today is Thursday, February 15, 2018. We are in the city council chambers here at city hall, 301 west second street, Austin, Texas.

[10:18:36 AM]

It is 10:18. Let's take a look at the changes and corrections. So it looks like item number 11 is -- is withdrawn. It looks like item number 19 is withdrawn. I would note on that that's being withdrawn just because of the [inaudible] I understand continuing to work forward on this. Which is good. Once we have stuff for us to consider, it will come back to us in one form or another as I just hope we find a good place for the soccer team to be in the city.

>> Kitchen: Mr. Mayor, I would like to make it clear I appreciate your comments and I agree. I think it's important for the public to understand that the staff is

[inaudible] At this point.

>> Mayor Adler: That is correct. There is no action being taken by staff or council. We also have item number 51 that is withdrawn. 51 is being withdrawn because it's being replaced by item number 82 in

the addendum. So if you signed up to speak on 51, you might want to move that over to 82 in order to -- and we'll help to facilitate that. Item number 28 is being postponed to -- to may may 10th of 2018. Item number 42 was recommended by the community technology and tele communications commission 7-0 with one abstention on February 14th.

[10:20:45 AM]

Item number 63, the correct number is npa2017- npa2017-0016.01-sh. And item number 69 and 70, items on the calendar, Ms. Houston will be requesting a 3:00 time certain. Councilmembers alter and kitchen have requested a --

[inaudible] For the champion matter so that is going to be pulled. Item number 37 has been pulled by Ms. Houston. Item number 42 is pulled by councilmember pool. We have a lot of staff here for that so we're going to try and take that this morning. Item 7, councilmember Garza and the mayor pro tem have requested that we do this at 10:30. That will be the first pulled item this morning. Item number [inaudible], there's been a request for a 6:30 P.M., no earlier than. Do we want to allow people to be able to -- who are here to be able to speak on that with a commitment we're not going to consider this or vote on it until after dinner. Without objection, that's how we'll treat that. No vote or consideration of item 49 until after dinner.

[10:22:45 AM]

Item number --

>> Mayor, will you remind me with the speakers get, how much time and will the people who speak in the afternoon count towards those numbers when we take it up in the evening?

>> Mayor Adler: That's a good point. The way that we treat that in our work, 20 president Clinton's, speakers after -- speakers after that get one minute and people will probably be speaking in the evening, I would probably let people speak for three minutes, most people speaking at one minute and pick that back up so the overwhelming number of the three-minute speakers are speaking this evening. Ms. Kitchen.

>> Tovo: Mayor, so the time would be dictated not by their log-in time on the schedule. I mean if somebody signed up Monday --

>> Mayor Adler: If somebody signed up Monday and they are here this afternoon, they would get three minutes to speak.

>> Tovo: So their time will still be dictated by when they signed up for this item.

>> Mayor Adler: Correct.

>> Tovo: Whether they are here this afternoon or this evening, they would still get the right allocation.

>> Mayor Adler: Correct. We've also treated that when there are defined positions taken by community people, sometimes will come and say these are the folks that we would really like to have speaking for the three-minute period of time and I'll still try to give consideration to those things as well. So it's not a black and white rule. Okay? Ultimately I'll be guided by trying to do what's fair.

[10:24:48 AM]

Item number 52 has been pulled by Mr. --

>> Mayor?

>> Mayor Adler: Yes.

>> Flannigan: On 52 I say councilmember tovo is making a motion on that and if we're able to accept that as friendly, I don't have to pull it.

>> Mayor Adler: We can consider that amendment that's been passed, considering that amendment as passed out as part of the resolution. Mayor pro tem, are you okay with that?

>> Tovo: Yes, I'm -- I accept it as a friendly amendment to my resolution.

>> Mayor Adler: Okay. Any objection to that amendment be added, so then item number 59 -- 53, rather is not being pulled, but what is before us is a resolution with the amendment included. Item number 53 and 54 are pulled with the understanding that we will not call that earlier than 2:30 today. It's a [inaudible] Issue. Item number [inaudible] Not earlier than [inaudible]. Our consent agenda is items 1 through 56 and 82. I'm showing the pulled items being item 13, 37, 42, 47, 49, 53 and 54 and I'm sorry also item -- the ones I see being -- and 82.

[10:26:51 AM]

Also part of the consent agenda. And I think I just said 82, but actually 81 and 82 are part of the consent agenda.

>> Kitchen: 82 is being pulled.

>> Mayor Adler: 81 is on the consent agenda and not pulled. We have one speaker to speak on the consent agenda, two people to speak on the consent agenda. Pulled items before we go to that. Yes, mayor pro tem.

>> Tovo: I may have missed you saying is 82 pulled for a time certain?

>> Mayor Adler: No earlier than 1:00. Yes, councilmember alter.

>> Alter: I would like to add \$100 for item 45 for the friendship and dialogue dinner.

>> Mayor Adler: Okay. I would also point out on item number 4, which is the boards and correction appointment, that --

>> Pool: Mayor, I want to pull that really quick to get an answer to a question and I may be able to put that right back on.

>> Mayor Adler: 44?

>> Pool: Yes.

>> Mayor Adler: I will point out 44 that councilmember troxclair, the joint task force with the city and aid and Travis county, and on this agenda we have councilmember alter taking her place. I would also say, miss kitchen, I thought over the intervening weeks about the conversation we've had on the dais about councilmembers wanting to serve on committees that take the number greater than four or five, I want to say if the council wants to move a direction where people can sign up for what committees they want to, that's nothing that I would oppose. Bringing some kind of ordinance change to that. But if that's the will of the council, that would be fine by me.

[10:28:55 AM]

>> Kitchen: Thank you.

>> Mayor Adler: Item 44 is pulled. So again I'm showing pulled items being 13, 37, 42, 44, 47, 49, 53, 54, and 82. I'm now going to call speakers to speak on the consent agenda. The first is Mr. Peña. Gus Peña.

>> Before you start the clock, I would like to -- my son, he's working for lsg so I would like to be here at the later time for the public hearing. The sick leave issue.

>> Mayor Adler: Yes.

>> So I don't want to be included with the one earlier. I want to be later when they come on board and speak.

>> Mayor Adler: Sick leave has been pulled --

>> I understand that but you made two options, one earlier, the 49 earlier and later on. I want to be here when the group comes on.

>> Mayor Adler: That would be fine.

>> Just FYI.

>> Mayor Adler: Make sure you sign up on that and I'll call you tonight.

>> I was the second and my son was third. Good morning, Gus Peña, Mr. Cronk, city manager, one thing I ask of you and welcome to Austin. I'm president of veterans for progress, 7,552 veterans. I would ask you this respectfully. Don't have favorites. If you have favorites, everybody be favorites. Don't show

favoritism. I ran for city council twice and didn't do well, but I ask everybody with your favorite and welcome to Austin and welcome to combat. It's combat.

[Laughter] Number 50 -- I made you laugh. Number 15 has to do with the housing and Riverside and what I want to say about housing entities that sells homes, I'm going to deviate but stay on track is they are selling the homes but the lot and land, they don't allow to purchase for the next time it comes up.

[10:31:09 AM]

Number 2 is item 16, having to do with the annual licensing fees, temporary license with Austin pets alive. We value our pets. A German shepherd when we moved from east Austin to Montopolis, and you will get to know where that is, saved me from a rattlesnake. Lobo, a German shepherd. So anyway, I love pets. Nobody should hurt pets, just like nobody should hurt any human being. That's 16. 27, having to do with central booking and municipal court, I was in a bailiff in municipal court in 1991, '92, '93, then went to Travis county, became a bailiff there. That structure needs to be torn down. We need a new structure, a new location for municipal court. It is bad. I go there frequently to help my people that need help that have various infractions, but I know that item is having to do with the central booking. I was in central booking, also taking information from prisoners. But anyway, just FYI, we need a new municipal court. Number 29 is authorize execution of amendment, et cetera, funding for child care. Any, any time we can increase funding for child care is a benefit. And let the parents work. As long as it's good quality child care. We're supportive of that. That's number 29. Number 34 is public health, increased funding for mentoring services, only \$407. Maybe I don't have the complete backup, but it's not enough. As much funding for tutoring that we can get is beneficial for the students. I sweat in high school having to deal with math. I am not a math product. This issue is --

[buzzer sounding]

-- People need help for mentoring and tutoring. As much money as we can get we appreciate it very much and we'll see you later on. Thank you.

>> Mayor Adler: Thank you, Mr. Peña. Mr. Smith, Greg Smith, do you want to speak on item 52?

[10:33:14 AM]

>> No, mayor.

>> Mayor Adler: Sounds good. Thank you. All right. Those are all the public speakers we have or pulled speakers on the consent. Does anybody want to make any notes before we go on? Councilmember Troxclair.

>> Troxclair: Can I pull item 50.

>> Mayor Adler: Item 50 also be pulled. And I would like to be shown voting items on 3, 15, 38 and 40. And abstaining on item number 27, 33 and 35.

>> Mayor Adler: Okay. Is there a motion to approve the consent agenda? Councilmember Garza makes that motion. Councilmember Flannigan seconds. Any discussion on the consent agenda? Let's go ahead and take a vote. Those in favor of the consent agenda please raise your hand. Those opposed? The dais voting aye, councilmember Casar off the dais and with the notations that are made. Thank you. Let's go first to item number 47. Councilmember Garza.

>> Garza: Thank you, item 47 is rename Franklin park for pastor Edward Clarence Craig. Today we have the privilege to honor pastor Craig for his work out there. I want to thank community members, the southeast combined neighborhood plan contact team, gave, and Austin parks foundation. I want to read a quick portion of a letter from gava sent to the council we firmly believe he deserves this renaming.

[10:35:24 AM]

Pastor Craig worked tirelessly as one of the highly dedicated of Franklin dove springs along with his wife who is here and the congregation of the great commission Baptist church. Pastor Craig was not only dedicated to beautification of Franklin park but he cared deeply for dove springs, south Austin and community at large. He worked with gave and Austin parks to leverage funding, add new amenities, improve trails and sign age, plant trees, native flowering plants and advocate for better lighting for Franklin park. If I could have staff put up that picture. He and fellow members knocked on doors to call upon for leadership for parks and other healthy initiatives in the area. And we are incredibly saddened by his passing but very grateful we can honor him. I would ask him family and friends that are here to please stand up. I had the honor -- one of the last of -- park days, pastor Craig and I in one of these pictures up here and I'm so grateful that one of the last ones I participated in was with pastor Craig at Franklin park. And we are excited to be able to honor him with a proclamation and now even more excited to be able to honor him with renaming that park. So if Ms. Craig, did you want to say anything? You are welcome to.

>> Good morning.

>> Mayor Adler: Good morning, Ms. Craig.

>> Thank you so much. It's such an honor and we appreciate what you guys are doing to bring us a little joy at this time of sorrow. He was an honorable man and we loved the way he was leading us into the community. Thank you so much.

>> Mayor Adler: Thank you.

[Applause]

>> Garza: Mayor, I move approval of item 47.

>> Mayor Adler: A motion by councilmember Garza.

[10:37:25 AM]

A second? I would like to second that, if I could. Thank you. Is there discussion? I just wish there was more we could do than a proclamation and naming a park. His passing last fall calls for this so thank you. Ms. Craig, thank you. Any further discussion? Those in favor please raise your hand. Those opposed? Unanimous on the dais with Mr. Casar off. Thank you.

[Applause] Let's ask staff to come down, please, and let's talk about the -- the contract. Which number is this? 42. Councilmember pool, you pulled this.

>> Pool: Yes, mayor. We'll have staff make a presentation but when they are done I'm going to move postponement to March 1 primarily because the telecommunications commission just heard this item last night and approved the awarding of the contract to community technology network, which is a San Francisco -- over a long-time provider Austin free net. Based on what I've been able to read from staff, and I'm still reading because we only got the information, I have some Q and a that was submitted. I will say the San Francisco firm is a wonderful company with much to offer. I'll talk more when staff is done about the transparency of the process which I think can be mitigated with a couple of weeks. Thanks.

>> Mayor Adler: Speak generally and speak to what councilmember pool said, please.

>> Mayor, councilmembers, James Scarborough, purchasing office.

[10:39:28 AM]

Item 42 is authorize negotiation and execution of a contract with community technology network to provide community access lab and management services for a period of time up to five years in amount not to exceed \$860,000. There were a number of questions that we received during the process. If there's a specific one you would like us to initiate we're glad to do so.

>> Pool: So I mentioned transparency. It appeared that there was a lack of transparency in the process. Based on the discussion that my staff heard last night at the commission meeting, it sounds as if the community technology network contract was already a done deal. It was a done deal even before it came to us today. So I want to be certain that we have good reasons to break a relationship with Austin free net. Austin free net is an established partner. They have done so much good for our community. I want you to know that our libraries would not have computers if not for Austin free net. So I'd like a little more time to study this if the council is willing to postpone to March 1. And I'll let somebody speak and then I'll make that motion.

>> Mayor Adler: Speak to the impact if any of a delay.

>> From a procurement perspective, we're not aware of an impact. I would defer to the Teri officer with regard to the current contract and current states of the operation of that contract.

>> Good morning, Rhonda Hawkins, regulatory affairs officer. The contract amendment with Austin free net expires February 28th. So we've -- we would have to look at options for extending -- extending that

contract. Because our main goal is to continue the operations of our public access computer labs and facilities and providing training to the community, which is our goal.

[10:41:37 AM]

>> Pool: So March 1 is the next day. Is there then a gap?

>> There would be a gap. I'm going to defer to our purchasing office.

>> From a contractual -- there would be a gap. We may have options we would have to contemplate putting together an interim agreement to maintain operations. This is the first we're hearing of a postponement so we just haven't had a chance to contemplate that and how we would address it.

>> Pool: All right. It was my understanding that some of these conversations had already taken place. If you would measure the gap, the time gap for a postponement that -- I mean I don't -- I don't mistrust that there is one, but the 28th of February is the day before the 1st of March. So if you all could maybe get with my chief of staff to discuss it and then, mayor, I'll ask to just table this for a moment until I can get some better information on that.

>> Mayor Adler: We also have some speakers that are signed up to speak on this. I don't know if we want to hear the speakers or consider the motion to postpone, but I want to let the dais know we have speakers. Councilmember alter.

>> Alter: I had a comment on an unrelated note. I see this is for digital literacy skills training during our strategic planning process, Ms. Foss mentioned one of the things the culture and learning team had discovered is there was not a lot of coordination amongst our digital literacy skills training. And so I just wanted to ask the city manager that as this goes forward at whatever point that we're making sure that this particular contract is brought into the discussions that that team had in an effort to make sure we are maximizing what we can deliver in terms of these digital literacy skills.

>> So noted.

>> Alter: Thank you.

[10:43:39 AM]

>> Mayor Adler: Okay. Dais, do you want to hear the speakers? Postpone this, hear the speakers? Yes.

>> Houston: I think it would be wise to hear the speakers even though we will have a postponement on the table. They are here now so let them speak now.

>> Pool: I'm sorry, I can't hear council member-

>> Houston: I'm saying the speakers are here today so let's go ahead and let them speak.



>> Pool: That's a great idea. Thanks.

>> Mayor Adler: Is Elizabeth Quintanilla here? Would you like to speak? And then on deck would be Sharon strover. Three minutes.

>> Good morning, council. Just for clarity, I am a board member of Austin free net and former Tera commissioner under former councilmember Riley so I've been in this space for a really long time. Just to confirm, there is already a gap of services or a reduction in current service. We've already stopped at some sites, however, we are still providing some services at dewitty. Currently what we served before was 31 labs. Under the new contract the California company will only be serving seven labs. One of the things that I'm still getting my own brain wrapped around is the California company which my company has no experience serving particularly the low-income Austin community. I was also one of your minority contractors serving the holly power plant during that time so I'm fully aware of some of the issues in east Austin low-income neighborhoods. While my grandfather was not a member of those communities, my grandfather is -- could have been one.

[10:45:47 AM]

And understand what it takes to pull yourself up so that third generations get a college degree. So I'm very aware of impact of what this work is. During the last fiscal year, afn supported [inaudible] Community training and lab locations, made sure computers [lapse in audio] Partner sites. I can say they've had nearly 50,000 in open lab hours. You know, basic technology skills, there's a big lack in this community and we were serving them. In addition, you are actually displacing -- if you move this contract, ten austinites out of jobs that were serving in nonprofits. So you're putting at least ten austinites out of work. Also, if you guys really truly support women and minority owned executives and growth, this has -- Austin free net has been recognized nationally, internationally, the executive director is an African-American woman who is recognized both nationally. In fact, you've recognized her, Steve Adler, on several digital proclamation and awards in this room. As well as they were one of the nonprofits who were awarded a federal grant. And is looked to as a nonprofit for best practices on how to serve a very challenging population.

[Buzzer sounding] Is that my time? Thank you.

>> Mayor Adler: Is Sharon strover here? On deck is Alexis schrubby.

[10:47:48 AM]

>> Thank you for making some time today to hear a little bit about this. My name is Sharon strover, I'm a professor at the university. I've done a lot of work on digital inclusion locally, statewide, actually in many states, and nationally as well. And even internationally. I've been a member of Austin's digital equity group, dec, have worked with the city and in fact we're doing the current city survey looking at what's going on with digital equity around Austin right now. I feel like I have a good handle on what the city's

needs are, where those needs are, and also how populations in need operate. One of my biggest projects right now actually has taken me into a lot of libraries in a major American city in which I've talked to people making use of computers and computer services in those environments. It's clear to me from all of my work that there's a need for a digital literacy training and for these open access labs that are dispersed throughout Austin. This is a population that doesn't move around a lot. The target population has a lot of challenges in terms of location and in terms of the people with whom they feel comfortable working. A lot of so-called establishment locations like schools and libraries are not attractive to many people, and indeed they can even be intimidating. And that represents an opportunity for a group like free net that has managed to operate and cultivate a clientele and a sense much being open to a Klein -- clientele that might not feel safe in establishments. My point is I think the city has an opportunity to kind of make good on a lot of its language about supporting minorities, and its intentions with respect to nonprofits as well.

[10:49:53 AM]

Many government services simply can't survive and really aren't able to execute their jobs without the intervention of nonprofits. Free net's history with the city is a prime example of that. At some point the city has to examine what it will do and what it can do to support nonprofits. How do we grow nonprofits here? How do we cultivate the talent of people who will contract not just now but in the future? It was illuminating to me to see that the would-be contractor for these particular services is actually hiring people who grew up in the ranks of free net. Those are people who grew into these desirable positions now because they worked with free net. So I think what you have here is an opportunity to support a local nonprofit that's been award winning, that has --

[buzzer sounding]

-- Served its contract well and that deserves a little bit more clarity and proof of your support.

>> Mayor Adler: Thank you.

>> Thank you.

>> Mayor Adler: Alexis schrubby and then Wilhelmina Delco.

>> Good morning, I'm a resident of district 1 and I'm here this morning to urge city council to reevaluate budget item 42. I have had the fortune of being financially stable in my life, but I have also experienced times of extreme financial hardship. I think people who have never experienced these types of hardships don't understand how extremely time consuming it is to be broke. You simply cannot afford luxuries like grocery shopping or doing something on a whim. When you are broke, your day revolves around other people's schedules you are beholden to fit your lives in public transport. I began volunteering there because I personally have been one or two paychecks away from needing to depend on a free computer lab.

[10:52:01 AM]

And I also felt like my digital literacy skills could help others like me. I'm here today to express to you that one of the strengths of Austin free net is the fact that its computer labs are dispersed throughout the city in places where people who need assistance can access multiple services comfortably and reasonably. I wish I could bring in all of the cover letters and resumes including those of ex-convicts and working mothers that I helped folks write to show you. So many people came to me with job-related tasks is because not only was I their neighbor, I feel people have an uncanny ability of the shared experience of having made stone soup. There are no judgments passed in the neutral space provided by free net and labs are convenient in neighborhood locations. I think this is the most important fact regarding 42. Free net is staffed by neighbors and people like me who have relationships and ties with their local neighborhoods. Local self-reliance is fostered through these relationships. So give this contract to an outside organization would be a serious detriment to those like me who is working on her doctorate at the university of Texas right now and who need free net the most. Thank you very much.

>> Mayor Adler: Thank you. The honorable Wilhelmina Delco. Juanita bud is on deck. Welcome to our chambers.

>> Thank you very much. I don't envy your jobs one bit. You do a great job and a great service to the community, but I want to emphasize the community. I think that when we try to serve the people of Austin, we ought to use Austin people to help serve them. I was on the board, chair of the board at free net and I realized that it was important for it to be in proximity to the project, the housing project, that it's in proximity to an elementary school and in the heart of a minority neighborhood.

[10:54:13 AM]

So many of our people have trouble getting jobs because they can't use computers. If they learn how to use computers, they can't afford to buy them. It doesn't make any sense to bring a company in from California to serve an Austin community when there's already a company meeting that need and who depends upon the community to participate and to learn and profit from what they are trying to do. I was chair of that board, but I will tell anybody in this room that I am definitely computer challenged. I don't understand, I push the wrong buttons, but I'm not doing that for a living. For people who depend on computer literacy but can't afford computers, free net is a very, very important and valuable resource. I do not understand why we want to go to California to accommodate a service that is already being provided in the community that would benefit the people who live in that community. This is an important decision and I hope you will honor the commitment of free net and retain their services in this area. Thank you.

[Applause]

>> Mayor Adler: Thank you. After Ms. Bud speaks, then Tammy Griffiths will be on deck and you have two people donating time. Denise Gucker and Monica Guzman, so you have seven minutes.

>> Thank you. First of all, thank you so much for allowing us to speak on this. Just for a point of clarification, I thought I heard you already voted on this item, 7-1.

>> Mayor Adler: That was --

>> I'm here to talk about item 42 and to ask that you consider giving that contract back to Austin free net that's due in the working community.

[10:56:17 AM]

This city has been recognized as a leader in digital innovation and broadband technology because of the citizens who built it. We are one of the foundational organizations that built and helped support the city become that champion around the community and the country. Austin free net is known worldwide not only nationally, locally but internationally. We have the Benton foundation come and use our services and our practices showing best practices that we provide to the community. We have the university of Mexico also come in ask us how do we do the work with the limited resources and staff that we have and wanting to replicate that. We were also a part of the unlocking connection with the housing authority that did a brilliant job bringing in digital literacy with the fore foundation, Google fiber and we started as a champion showing how the work is done in the space we do it. I am sure CTN is a great organization, however, we are the best for Austin and Austin's community. We don't have classrooms that are pristine, we deal with the homeless, the ex-offenders, people who are really disenfranchised, people afraid to come in and get help because they don't think they can and we show them the way. A quick example is on our website, Donald was a homeless 62-year-old dad with a baby. And we walked him hand in hand and he is employed with the university of Texas. That's merely one example of who we've helped over the years. If you want to know my background, I've been in this space several years, spoke on the the Brookings institute, I've also spoke in all the cover -- well, in Austin womens magazine, the greater Austin black chamber identified me as a hidden figure because I'm hidden. Not many know what I do, but when we do we do it great. The mayor has provided us with two proclamations for digital inclusion and CTN has come to join us in the community in trying to spearhead that event again.

[10:58:19 AM]

We welcome your support. What we don't welcome is taking those funds and giving it to an organization who is going to hit and miss and determine how that's going to look. We have a proven record and I really think that we should be considered to continue this work. Come alongside CTN and do it for five years. Find out about the community, be in the community and then come back and talk about your expertise in this community. We have seven staff because three have already been displaced. Three are African-American, two are hispanic and two are anglo so we are reaching every population here that we can. And finally, one of the things that I did just last week, commissioner Claiborne was here from the FCC. I had an opportunity to meet with her and talk about the great work that Austin does. And diversity and support we feel in having this conversation and this organization -- excuse me, in this city. I am so

nervous, I apologize. The other thing I asked is what are you going to do to help the infrastructure of Austin and its rural community with broadband technology and digital literacy skills. She promised to -- skills. To sit down and talk about how we cannot only help Austin but the surrounding communities. I ask you to reconsider that a home-grown organization is doing a job and I see no reason why we should bring other people in to displays austinites. Thank you very much for your time.

I appreciate >> Mayor Adler: Cammie Griffith and then Jessica lunny.

>> Good morning, my name is cammie Griffith, I'm executive director and co-founder of community technology network. I'm here in support of a contract that will give CTN the community technology access lab management services contract.

[11:00:21 AM]

15 years ago I began volunteering as a computer trainer and it changed my life. That experience showed me that the digital divide that exists in this country. Through that experience I taught hundreds of people how to use the computer, the internet, email and how to apply for jobs. I saw that those without computer skills got good-paying jobs and upward mobility, and those without struggled. That volunteer opportunity turned into a job which evolved into my life's mission to help as many people as I can get access to the computer, the internet and -- and reach their goals through digital technology. For the last ten years community technology network has developed a very successful model of partnering with nonprofits, government agencies, and local businesses to provide basic digital skills training in a variety of languages. A majority of the training we provide is offered by volunteers. Not only does this -- does utilizing volunteers allow us to stretch every dollar, it provides opportunities for diverse communities to work together. Each year community technology network brings together hundreds of volunteers who help thousands of people enhance their digital skills. We have created an ecosystem of learning that is transforming lives. In the last year our trainers provided 30,000 training sessions at our 50 partner locations. They have helped people connect with family using social media and video conferencing. They have provided support for job seekers who must navigate a variety of on-line forms just to apply for a job stocking shelves. They've helped formerly homeless people fill out housing applications that led to safe and secure housing. Those of us who are on-line all the time and managing multiple devices take our access and our skills for granted, but there are hundreds -- tens of thousands of people in and around Austin who are being left behind.

[11:02:22 AM]

We believe that access to the internet is a right and true access includes affordable internet and appropriate device and digital skills. Community technology network is committed to provide those assets in Austin not just in partnership with the city through this contract but also in partnership with affordable housing providers, senior centers, libraries and any agency that works to help adults and seniors reach their goals. And in closing, we're a nonprofit. I helped found this agency ten years ago. It is

what I have dedicated my time to, and I will continue to dedicate my time to this. It is extremely rewarding to help people become digitally literate. With that opportunity it's a door that opens to a whole new reality for them. So thank you so much for hearing my comments today.

>> Mayor Adler: Thank you. Jessica Luny?

>> Hi, thank you for your time today, and thank you to everyone who's spoken up so far about the Austin community, which is one I've been a part of my entire life. I was born and raised in Austin, and I have worked in the nonprofit sector for over 25 years, and I was very excited to become a part of the staff of community technology network when I found out what Cammie was here today, and immediately jump on board, and what I wanted to share today more than anything was my experience so far as Austin program director here for CTN, and my experience working with the housing authority of Austin, which has been the most recent partnership that we've acquired. I have been able to train and work, mentor directly with apprentices that are supported through the Gtop grant in Austin, and I have had four set trainings to teach these apprentices basic digital literacy skills that will then eventually get them out into these low income residencies to work with hundreds of people with the intent of eventually getting these people back into the workforce, people that currently do not have the skills necessary to be in the workforce and jobs that we need here in Austin.

[11:04:33 AM]

And that so far has been my experience. It's only been since November, so it's fairly new, but I can see how in the future we have -- we have a long way to go, but there's a ripple effect, and I know for a fact that, you know, if we continue to train trainers and we support them, that the community will continue to grow, digital literacy skills will become more and more of a priority in Austin, and hopefully this will help us close the digital divide. Thank you.

>> Mayor Adler: Thank you.

>> Mayor?

>> Mayor Adler: Yes.

>> Houston: I have a question with the last speaker.

>> Mayor Adler: Ms. Luny? Ma'am? Council member Houston has a question.

>> Oh, sure.

>> Houston: Thank you so much for coming down today.

>> Sure.

>> Houston: This is in my head an acronym, free zone, and you said something about G top and I have no idea --

>> The gtops is actually a city grant that is a digital city grant that is provided for -- they -- I want to ask John spears the exact amount that they distribute every year, and I cannot do that, but it's specifically related to technology, and grants that are given out each year, or every two years for specific nonprofits to help increase digital literacy skills. And I have also worked in the web accessibility space for an organization called nobility, and we had a grant with gtops as well through the city of Austin, and we -- and that particular grant supported teachers and how they could accommodate kids with disabilities.

>> Houston: Thank you.

>> Mm-hmm.

>> Mayor Adler: Thank you.

>> Mm-hmm.

>> Mayor Adler: Council members, those are all the people who have signed up to speak. That gets us back up to the dais. Council member pool, do you want to make a motion?

>> Pool: I'll make a motion to postpone to March 1 based on the information that we got here today.

>> Mayor Adler: Is there a second to the motion? Ms. Houston seconds that. Discussion on the motion to postpone.

>> Pool: My comments don't go to the motion to postpone, so sorry.

[11:06:36 AM]

>> Mayor Adler: That's okay.

>> Houston: I can speak to the motion to postpone.

>> Mayor Adler: Ms. Houston.

>> Houston: I've watched the telecommunication commission's conversation last night, and I think I just need more information and more time to digest what they -- some of the comments made last night to see what's going on.

>> Mayor Adler: Okay. It looks like someone may have signed up on here that wasn't on my apparently unrefreshed list. Is Karen green here? I will give you a chance to speak as well. You also have three minutes. Thank you.

>> Thanks very much for your time. I come representing an agency that has partnered with many different kinds of digital literacy in the city, the digital empowerment community of Austin. Right now I'm working at an agency called [speaking in Spanish] Which is located in south Austin. We are a nonprofit organization and rely on volunteer instructors for esl classes serving about 900 students per year, and our digital literacy class is serving about 120 students per year. All of -- there's no formal training program for adult education instructors, except if you try to get a master's degree at Texas state university. The formal -- formal -- formalized training that we have right now for adult education

instructors is coming through partner agencies like the literacy coalition of central Texas, and I jumped at the opportunity to start partnering with CTN when they came and announced that one of their biggest goals is to train volunteer instructors. It is not something that someone can just jump in and do. They need to understand the population they're working with. They need to understand adult education, basically pedagogy, how do you teach a adult, where are they coming from, what are their goals.

[11:08:40 AM]

So this is the realm that I'm coming from, ten years working in the adult education sphere, and here in Austin. I really do like what Austin free-net is doing. I've never partner -- our organization has never partnered with them, so CTN being new was one of their first things to do to get to know what is out there in the community, and I am very happy with what they have offered as a possible partnership with [speaking in Spanish]. That's all I have to say.

>> Mayor Adler: Thank you.

>> Thank you.

>> Mayor Adler: Back up to the dais, council member troxclair.

>> Troxclair: I just have some questions for staff. So did the -- I always feel uncomfortable when we're put in the position where the person who is being -- the company who is being awarded the contract does not know that there are any issues that are going to come up and so they're not here to represent themselves. Is that -- oh, she did. Oh, okay.

>> I believe a representative from the company that is being recommended for the contract has already spoken.

>> Troxclair: So did -- I guess -- so the matrix in the backup -- I mean, the -- the company that's not being represented did receive ten additional points for local business preference, but it seems like the other company scored significantly higher on proposed solutions, prior experience and personnel proposed costs. Do -- I mean -- does that change over -- if we postpone for two weeks? I mean, does that score change or are we just -- I know that there -- the council has a responsibility -- the council does a lot of things. They support minorities and support entrepreneurs and support nonprofits and all of the things that the people talked about today, but at the same time with these purchasing contracts we have a responsibility to go with the provider who is going to provide the best service at the lowest cost.

[11:10:54 AM]

That's just our responsibility to the taxpayers, and I get really uncomfortable when the council gets put in these positions on the spot to basically go against what is a pretty clear recommendation. So I guess -- I guess I didn't phrase any of that as a question, but do you have any feedback after listening to the



speakers or anything that we should be aware of if we're going to move forward and potentially change the decision next time?

>> Sure. Mayor, council member troxclair, purchasing, and I'm sure our colleagues at the telecommunications regulatory affairs office certainly appreciate all the comments that were made today. The item that you have before you is a result of an administrative process that we applied to government procurement and to create commercial contracts. To the extent that council and city wish to achieve objectives through some other means, some other -- some other agreements, some other instrument, then there may be other opportunities, but when you're contemplating creation of a contract under Texas state procurement statutes, our obligation is to follow the procedure that we apply throughout the year, and from what I can see in this process, which was protested and did go to an independent hearing officer, the process that was applied was consistent with how we -- how we perform rfps. From what I can see from the evaluation committee and their recommendation, the proposal that was provided by CTN was just qualitatively better and had a lower price than the proposal submitted by the incumbent, the current contractor. The -- the incumbent, the current contractor did have the benefit of the local presence, 10% preference, and -- preference, and the recommended company did not. It's just a qualitative and quantitative price difference. To the extent that council takes that into consideration, we just make the recommendation based on the compliance with process and that the recommendation made by the committee was reasoned.

[11:13:00 AM]

>> Troxclair: Okay. Thanks for that clarification. I think that those regulations, as much as -- as much as it's easy to sometimes have our hearts pulled in different directions, I feel like those regulations are in place to prevent crony capitalism, to prevent favoritism. I mean, just -- there's a reason that we have such a structured process that we go through to come up with these scores, and so I -- I'm not -- I guess I'm not going to be able to support the postponement today, but I feel for Austin free-net and for the points that they raised, but I hope that you'll understand that I think it's important that we -- that we follow our staff's guidance on this.

>> Mayor Adler: Yes, council member alter.

>> Alter: One of the speakers mentioned that there was a change in the amount of locations, which if I understood them correctly sounded kind of drastic, and I'm wondering if you can speak to that issue. I'm not sure which way that falls, but I'd like to know more.

>> Right. Mr. Mayor, mayor pro tem, council members, with regard to the change in the number of locations, this contract is actually one of the -- one of the objectives was to focus and define those digital literacy skills trainings at our city neighborhood centers, and those facilities in which we can elicit direct training opportunities to residents or clients of those facilities. The scope of work also included an opportunity for those offerors to recommend solutions to scale those trainings so that in this time of recalibrating, retooling and being able to understand what those trainings are, to then have a methodology of training the trainer, of being able to scale that back to all of those additional locations that are currently being served in the community and more. There is some context here with regard to

the change in the scope of work that's driven some of the background to a lot of this, is the city now has the availability of refurbished computers from what is formerly used by city staff, that is now being received by the digital inclusion program, and we are plugging these into our public access computer lab so that we can increase the city's investment at these facilities, thereby then increasing our outcomes.

[11:15:28 AM]

And that is something that, yes, there is a focus in definition of seven labs within the current scope of work, but it is our intention to scale that back to be able to increase the impact and the number of sites that are served under this agreement and the recommended vendor has proposed a solution to be able to facilitate that. I hope that answers your question.

>> Alter: So let me just clarify. So then in the actual rfp that narrowed the scope to the seven, so it's not that this vendor is coming in saying, I don't want to do 31, I want to do 7, that was the scope of work that was presented to both of these applicants.

>> That is correct.

>> Alter: Okay. Thank you for the clarification.

>> Pool: Mr. Scarborough, could you explain to us why the smbr did not apply to this contract?

>> Council member, every time we conduct a formal solicitation that we anticipate is going to result in a contract that is going to go to council for authorization --

>> Pool: I'm sorry, I can't hear you very well. I think it's the fans that are --

>> We submit all of our solicitations to these small and minority business resource department for review for subcontract opportunities. They have criteria that they can apply these -- these goals or not. So the director of smbr is here. She can probably answer more detail.

>> Pool: Thank you.

>> Veronica, director of small business resources department. We did look at this contract for the consideration of goals. When we looked at it the previous contract had been awarded to a nonprofit and we don't award contracts -- we don't set goals on contracts that are set for nonprofit award. We -- beyond that, looking at it, looking at the main scope of what could possibly be subconsulted out or subcontracted out, there was opportunities regardless but that was our initial consideration.

>> Pool: Mayor, I'd note that I think it was Ms. Delco mentioned that free net is -- headed up the executive director is a woman, is that correct?

[11:17:40 AM]

Ms. Bras onia, do you know?

>> (Indiscernible).

>> That is correct.

>> Pool: And I don't know about CTN? I understand that the local presence would be a woman, but is the owner or the head of that organization a similar position, is that also a woman?

>> I don't know if it's headed by a woman or a minority.

>> Pool: And they're located in San Francisco; is that correct? Okay. I would just like to mention --

>> (Indiscernible).

>> Pool: Right. And --

>> (Indiscernible).

>> Pool: Are you the owner of the firm or the person who is heading up the local presence?

>> Mayor Adler: Can you come on down to a microphone so that we can all hear what you're saying?

>> So as a nonprofit there is no owner. I have a board of directors, but I am the executive director and co-founder. It was established in 2008.

>> Pool: Okay. Thank you. So I just wanted to make a point that there were three contracts recently that we -- this dais had some questions on, and this one and the aviation department had -- one in the aviation department had caused me some great concern. It's good to know that there is a board with a woman heading it for the -- the recommended contractor but --

>> Mayor Adler: So council council member -- council member pool? I'm going to suggest that before we have further conversations on the dais with respect to qualifications and changes, that we just hold this for a second and discuss it in executive session.

>> Pool: I think that sounds great. Thank you.

>> Mayor Adler: So let's hold on this one for right now. Thank you very much.

[11:19:40 AM]

So we need to discuss this in executive session. We do that over our lunch break, so we're going to pick this back up after -- after lunch. Can we take care of the hfc -- hfc agenda and let you guys go?

>> Yes, we can. Mayor?

>> Mayor Adler: Yes.

>> I think you need to call the meeting to order.

>> Mayor Adler: Sure enough.

[Laughter] So we're going to -- here at 11:20 recess the city council meeting and we will convene the housing finance corporation meeting. It is 11:20.

>> Mayor Adler: All right. So I'm going to adjourn the the -- Austin housing and finance corporation meeting, at 11:25 and at 11:25 well reconvene the Austin city council meeting to consider an additional item. On the -- the next item is the Latino health care contract, item no. 37. Ms. Houston, you pulled this.

>> Thank you, mayor.

>> Mayor Adler: We have six speakers noo okay. I just have a quick question but we should hear the speakers first.

>> Mayor Adler: Do you want to hear them first in case they want to address it?

>> Houston: That would be good. Austin public health.

>> Good morning, Stephanie Hayden, interim director, Austin public health.

>> Houston: Thank you, Ms. Hayden, for coming down. I put a question. This is an amendment. I'm used to contracts differently from public health and this one is different. Can you explain the difference between the usual amendments that we get to continue a contract to the next year? What's the difference between this and the other contracts that we usually do?

>> The difference between this and the amendments, this is a -- this is just a one-year contract without any renewal options. And so that is really the difference. The other ones we put in renewal options that we can exercise from year to year.

>> Houston: So didn't we provide funding for this last year? And so that was a one-year contract as well?

>> Yes, ma'am, we did provide funding for this.

[11:28:03 AM]

What we found is from year to year there's not been consistent funding within the budget, and sometimes it's added later on during the deliberations. And so with this particular contract we're going to exercise a one-year agreement and then staff are going to do a solicitation, because this has been a contract that has had, like building-type deliverables, so it started initially just as a community needs assessment, and then it moved to -- once an assessment was completed, then there was a community health improvement plan, and then as a result of those there have been some deliverables that Latino healthcare forum has been working on in the community, and they would like to complete those this year.

>> Houston: Okay. In late backup I think council got a letter from -- I think someone from north Lamar, Georgian acres neighborhood contact planning team, and that's what kind of spurred the question. So this is a continuation of things that they were already doing.

>> Yes, ma'am.

>> Houston: Okay. Okay.

>> Houston: That's fine. I move -- I can't do it now. I just finished talking.

>> Mayor Adler: Any objection to Ms. Houston making a motion to approve? No. Ms. Houston moves to approve this item number 42. Is there a second? Mr. Renteria seconds that. It looks like this is going to get approved. We have six speakers that are signed up to speak. So I'm going to give everybody an opportunity to speak but I'm not sure that you need to since everybody has signed up speaking in favor of the contract. Mr. Pena, do you want to speak?

>> [Off mic]

[11:30:06 AM]

>> Mr. Mayor, I'm going to speak as professionally as I can. You know I do my work before I speak before you or the county commissioners court, the legislature. Number 1, there was a -- I believe I read an article in the newspaper about the Latino forum, there had been some problems. I hope that has been corrected. I still have the article in the paper -- I didn't bring it with me. Anyway, I support it. It's just some of the things that are done are not in the best interests of the community and the taxpayers. And we want -- as y'all say, y'all know transparency, transparency. So but I'm going to support this. I just want better transparency. We don't even know the board member. We don't know who is backing this stuff, you know? And I have the paper clippings. I left it at home. When I come back nor out afternoon I'll be able to produce it. There have been some problems I hope that has been corrected. It was in the newspaper. That's all I have to say. But, you know, we -- rundberg area need a lot of people, as does St. John's and everywhere. We support it. Again I'll say this categorically as respectful as possible, Renteria, you haven't been in an forge issue, we go way back and that's how far we go back. I never saw you over there working on affordable housing. Anyway, thank you very much.

>> Mayor Adler: Thank you. Is Ann teiche here? Trustee, welcome to our chamber.

>> Thank you. Good morning, appreciate the opportunity to talk. First of all I'd say thank you, councilmember Houston -- well, you didn't move for approval, but whoever did --

>> Mayor Adler: Ms. Houston did move approval.

>> I'm sorry. I'm old and forget and don't pay attention sometimes when I'm trying to follow things quickly. Thank you for that. I am -- I've been a resident of the rundberg area for 32 years, been a resident of the rundberg area for 32 years and a founding member of the restore rundberg revitalization team and my neighborhood association signed the application for the doj grant that the Austin police department made for the restore rundberg project.

[11:32:18 AM]

I appreciate the support. We have worked closely with the Latino health care forum. Mr. Pena, if you have any questions come to me. I'll be glad to answer any questions. Thank you for the support and ongoing support for restore rundberg, for the health care services that have been provided by Latino health care forum. So I would also like to address the letter that was sent to council requesting that this item be looked at carefully. The person who wrote the letter has historically opposed any work done by the organization. This is in comments I sent in an email this morning at 8:37 A.M. The person who wrote the letter requesting this be denied was offered many opportunities to participate in restore rundberg and declined all invitations. She represents herself and one or two other residents in the area. She would not be regarded as an authority on any rundberg activities, she has never been involved in any of said activities even though she has invited to do that many times. Her ongoing work is regarded as a [indiscernible] That slows work in the rundberg area. Latino health care forums work on the issues and rundberg residents, neighborhood leaders restore rundberg as excellent work and, therefore, we really appreciate the approval of this particular item. Thank you.

>> Mayor Adler: Thank you. Chelsea brass, do you want to speak?

>> Not here.

>> Mayor Adler: Is Paul

[indiscernible] Here?

>> Thank you so much for your time.

[11:34:19 AM]

Mayor, city council, my name

[indiscernible]. I serve the rundberg community. I'm here to show my support, the proposal agreement between the city of Austin with Latino health care forum for the community health care and senior service in rundberg area. With my community

[indiscernible] Resources need for this community. It is my belief that Latinos health care forum has been a key community partner for many of the organizations in the area. They have been provided service to everyone, especially the minority community in rundberg area. Plus not only I alone with many other non-english speaking have received training through Latino health care forum and I became community worker through their training. Through your support many of our community members now have access to community health worker that help teach them in how to manage their health issues, help them with clinic appointments and doctor appointments and basic needs and social service. Your support today would be very beneficial to our senior community and support to our community, understand and have easier way of access to health care and social service that need it most. I came here as a

[indiscernible] I didn't go to school, then I now can serve the rundberg community and the [indiscernible] Community well through this Latino health care forum training that a received. Thank you so much for your -- your support is needed for us. Thank you.

>> Mayor Adler: Thank you.

[ Applause ]

[11:36:19 AM]

>> Mayor Adler: Cynthia Valdez, you have donated time from Mr. King. You have five minutes if you want to use that.

>> Thank you. Since -- thank you very much for supporting this issue, and I thought about not speaking, but I have to say a few things about Latino health care forum and the need for it to be created in the first place. What we have found in our community as in every other minority community is historically there were okay,s that were put together that were not led by persons that they targeted in the population to help. And this is a very important point for us to understand. If you are going to be involved in raising the quality of life of the Latino community or asian-american community or African-American community or any other community that has historically been neglected and excluded from being involved in the decision-making process for that which impacts that very community, then there is a problem. Latino health care forum was created by activists who have decades and decades and decades of history in working within their communities. And working in association with other communities because what affects one affects us all. And I cannot say enough good about the work that they have done in every project that they have been engaged in. Not only in the health care arena, but in the education, educational arena, the empowerment arena. They have gone and worked with the school districts, several of them, not only Austin independent school district but del valle and others. Been awarded by the Harvard medical school as being the number 1 entity and only local nonprofit to participate in their training for over a year when there were other hospital and hospital districts, et cetera, participating in that.

[11:38:29 AM]

They were number 1. They got the highest washed award and recognized for the work that they did even though they were relatively new nonprofit organization, 501(c)(3), but that did not take away from the expertise and the work that they have done in the community for decades and decades and decades. So I have to speak on behalf of them and any work that they do, and I challenge any person here or within the audience that listens to me or is listening here today to challenge the work of the quality of work that they have done, the scope of the work they have done, their ideas to even resolve or provide solutions on any other issue to train the people themselves how to be advocates for themselves and, Jill, Rodriguez, who is here today, is executive director, Jill rod was not only writing

curriculum for the school district, she has written curriculum that the state has wanted to adopt. Under the health and human services, under the community health care worker component. And she has also worked with CMS. CMS wanted to get them to do work on their accountability component. And these things that they have developed have often been used by other organizations that are newer than they are, and they've adopted their language, they've adopted their ideas, they adopted their scopes, and are being funded. Yet they are the ones that have been first and foremost recognized by local state and national entities for the work and the solutions and the programming that they have provided and would like to continue to provide in our community. So, again, I thank you for your vote today, and I thank you for supporting Latino health care forum and other like organizations that are made up of people who have an executive team and on their boards of directors are made up of people who represent the targeted population, which is our low-income population, our population of color, people who live in those communities, who have been disenfranchised and marginalized.

[11:40:57 AM]

Thank you very much.

>> Mayor Adler: Thank you.

[ Applause ]

>> Mayor Adler: Those are all the speakers we have. Ms. Houston has moved. It's been seconded. Any discussion before we vote? Those in favor please raise your hand. Those opposed? Unanimous -- I'm sorry, councilmember alter is abstaining and councilmember troxclair is abstaining. Two abstentions, others voting yea. This item passes. The next item I would take up would be 57 and 58. Councilmember pool.

>> Pool: [Off mic] This isn't working. I got the answer to my question on item 44 that I pulled from consent. I'm happy to put it back on. We may be able to dispatch with that.

>> Mayor Adler: I think all of these will be real quick. We have several we'll be able to below through. 57, 58, these are nonconsent condemnation items. Is there a motion to the fact that the city council authorizes the use of the eminent domain to acquire the property set forth in the agenda for the public uses therein described. There's a motion. Mayor pro tem makes that motion. Is there a second to that motion? Councilmember Garza. Any discussion? Those in favor please raise your hand. Those opposed.

>> Houston: I'm abstaining.

>> Mayor Adler: Ms. Houston abstains, others voting aye. Those two items pass. Let's look at item 44 back on the agenda. Councilmember pool moves passage of -- adoption of item 44. Is there a second to that? Mayor pro tem. Any discussion?

>> Alter: Quick question.

>> Mayor Adler: Yes.



>> Alter:as I understood the discussion earlier you indicated, mayor, you wanted to have a direction where anyone could be on a committee if they wanted but that would require change to the ordinance. Is that possible to have legal draft that up so that we can move forward with the committee?

[11:43:01 AM]

I've been serving ex officio on the audit committee for months now, but it would be helpful if legal could -- since it's a simple -- seems like it's a relatively simple change but rather than putting the owns on your office or one of our offices, is there something legal can draft up?

>> Mayor Adler: We can certainly do that. I don't know if we should call this, how the rest of the dais feels on that issue. Certainly legal could take a look at the ordinance and do that. It might be something we should pull up on a work session where everybody is generally in agreement we could bring it up at a meeting. We were involved in lots of lengthy conversations on that. I just expressed my view on that, and I just meant that to be out there so probably there will be some discussion beyond that. Councilmember kitchen.

>> Kitchen: Well, you know, we certainly can discuss it when it comes back to us, but I think it would be helpful if legal would draw something up and then once it's drawn up we can have a conversation whether people want to tweet the language or not, but it would help us get there faster.

>> Why don't we do this. May I suggest the manager will put it on a work session and we'll draw something, have a recommendation.

>> Mayor Adler: Sounds good.

>> Kitchen: I don't want to take a lot of time. So if we put it on a work session then we have to draw it up, then we have to put it on agenda.

>> Mayor Adler: She's saying she would go ahead and draw it up and we would have something actually in front of us so we can calendar the item.

>> Kitchen: We can post it and discuss it.

>> The manager will put it on a work session and we'll have a recommendation.

>> Kitchen: Okay. So that means it will be on an agenda then. Okay. Thanks.

>> Mayor Adler: Okay? Councilmember pool.

>> Pool: If I'm understanding what councilmember kitchen is saying, she wants to put it on council agenda so we can talk about it at work session and act on it two days later if we so desire. But if we only do work session we won't be able to act on it until probably two weeks or more after that because that would then trigger it being put on an agenda.

[11:45:10 AM]

Am I interpreting your comments right?

>> Mayor Adler: I think what you're hearing is sentiment to go ahead and -- necessary councilmembers to put that on the agenda. If you would just draft something and post it so that we can see it and discuss it.

>> Pool: Thanks.

>> Mayor Adler: That would be great. Thank you. Yes, councilmember troxclair.

>> Troxclair: I just wanted to point out that councilmember alter participating or joining the audit and finance committee doesn't raise the question quorum. I think the issue we're talking about now is drafting something that would allow anybody to participate regardless of quorum. I'm still not --

>> Mayor Adler: So those are the kind of details that are different discussions on it and we're not posted to discuss that now but we'll get something back that will give us the opportunity to discuss all of those issues.

>> Troxclair: Thanks.

>> Mayor Adler: Okay. So the motion is to approve item number 44. That councilmember pool made. Did I get a second already? Mayor pro tem seconds that. Any discussion on 44? Those in favor please raise your hand. Those opposed. Unanimous on the dais with councilmember Casar off. We can handle quickly item number 50. Who pulled item number insist councilmember troxclair, you pulled item number 50.

>> Troxclair: Yeah. I mean, I brought this up at work session. I have the same concerns that this resolution basically is asking our staff to look into a first right of refusal program. This kind of program is -- the resolution specifically mentions looking at the DC program.

-- It's just a study right now, but a quick Google search, you know, pulls up lots of articles that talk about how this program in Washington, D.C. Has reduced affordable housing and absolutely detrimental to tenants, buyers, sellers because of how it's been exploited so we've talked a lot as a council about staff sometimes being overwhelmed with all of the different things we're asking them to do.

[11:47:33 AM]

So I'm really unclear why we're moving forward with a resolution to do something that is -- that it seems tool for us to use to accomplish what is valuable goals.

>> Mayor Adler: Mayor pro tem.

>> Tovo: Mayor, I'd like to move approval of this item and I'll speak to some of the concerns.

>> Mayor Adler: There's been a motion to approval item 50, 2nded by councilmember Garza. Mayor pro tem, you can speak on it.

>> Tovo: I apologize I wasn't present for part of the work session where this came up. I've handed out an article, and have some others -- councilmember troxclair is absolutely correct, that there are definitely articles out there talking about some of the challenges that Washington, D.C. Has had with a similar program. I want to highlight -- I handed out one article. There was another one -- I didn't have a lot of time to do a huge amount of research last night to come up with different articles, but there are -- I would say because there have been challenges with some of the elements of Washington, D.C. Doesn't mean it is not a good program to explore here. I think that we need to explore every tool in our toolbox or every potential tool in our toolbox to help keep housing affordable, and we know we have an issue with substandard properties here in the city of Austin. We have properties that are on the repeat offenders list. We had a property recently that we had some complicated legal challenges over, and I wish there were -- I wish that we had this tool in our toolbox and if there's a way for this to work in the state of Texas, in the city of Austin, I think we should explore it. Again, I passed out one article, and I'll read to you a passage to you in a minute. There's another one in the nation titled how tenant rights are flourishing right in trump's backyard.

[11:49:37 AM]

The article ongoing page 2 talks about there have been notorious loopholes created, closed, found again, allowing many landlord to circumvent the laws and some tenants to abuse it but it's still become an important tool for preserving affordable housing especially as the district's housing market has heated up over the past decade. One study found the law helped preserve around 1,400 units of affordable housing in the district from 2002 to 2013 since 2016 D.C. Tenants have exercised rights as part of two dozen deals to preserve affordable housing according to the district's director of housing and community development and it talks about specific property in the heart of chinatown that's the focus of this article. So where there's some loopholes, where there's some problems with it, absolutely. I think we're in a great position as a city then to learn from some of those mistakes and to do better when we establish a program like this here in Austin if we're able to do so. So the staff -- and I have a copy of this resolution if anyone wants to see it. We did pass a resolution related to cooperative housing and potential changes at the city level to make -- to make those projects competitive for city funding, and this was a piece of it. The staff sent us back a memo saying this was an area that needed more exploration and so this resolution is really to allow them to move forward with doing some additional legal analysis to determine if this is an option for us.

>> Mayor Adler: Mayor pro tem, I'm going to support your resolution here. I think we ought to be exploring every tool we can have and I'm certainly not ready to rule one out at this point and I hope after the review it points to something that will help us. It's been moved and seconded, adoption of this item. Any discussion before we vote? Councilmember alter.

>> Alter: So I appreciate the issues that councilmember troxclair raised, and I would expect as part of that exploration that the staff would be looking at those issues and trying to avoid a similar experience near Austin.

[11:51:44 AM]

I just wanted to clarify, though, it was my understanding that this is something that was in the strategic housing blueprint as a piece of that as well.

>> Tovo: It's been a while since I looked at it, councilmember. I believe that is true. Cooperative housing was highlighted as an issue I believe in the strategic housing blueprint, as well as one of our commissions. In fact these were some ideas that had come forward from one of our commissions.

>> Alter: So it does seem like that provides, you know, further justification for moving forward with this exploration along with the memo and the need for further authorization.

>> Mayor Adler: Okay. Councilmember Casar.

>> Casar: I'd like to thank the sponsor for including me on this. This is, I think, really interesting and it has a lot of exciting potential. There's certainly been cases in my district in the time I've been on council where we have had to try to find other mechanisms for trying to get community ownership of land, especially when landlords let their properties deteriorate. I really appreciate this being on the agenda and look forward to the next steps.

>> Mayor Adler: Moved and seconded. Any further discussion? Those in favor please raise your hand. Those opposed. Ms. Troxclair voting no, others voting aye. That passes. Council, we have taken care of all the items we can take care of at this point. Item number 13 will come up no earlier than 2:00. Item 42 we're going to discuss in executive session and then discuss when we come back. Item number 49 will entertain speakers this afternoon but we will not be voting on it or considering it until after dinner. And items 53 and 54 will be taken up no earlier than 2:30 P.M.

[11:53:46 AM]

Everything else on the consent agenda and things that were set earlier than our noon call we have now taken care of. So that's going to move us into citizens communication in about seven minutes. We also can't take that up any earlier than we do. So we will stand down here for about seven minutes and then call citizens communication.

[ Brief recess ]

[12:02:10 PM]

>> Mayor Adler: it would be good if the council worked their way back to the dais. I don't know if there are councilmembers in the back. Does everyone want to come on down here? So, Elaine, would you come join us and manager Cronk and council. As we go into citizen communication this is our first

council meeting in a long time where you have not been leading us and guiding us on the dais as our city manager, but collectively our offices wanted to for what you have done and for your leadership. Walking in in an interim capacity is never easy, but you have done it with such grace and you have moved the city forward and culture forward, and we and the city is so, so very appreciative. So I have a -- first I have a proclamation that I would like to read on behalf of my colleagues.

[12:04:16 PM]

Proclamation be it known that whereas, after more than two decades of working for the city of Austin, including as chief financial officer, Elaine hart led the city as a strong, able, and much appreciated interim city manager from October 2016 until February 2018. And whereas Elaine hart's leadership has touched many in a very personal, supportive, and caring way, as she guided the city through significant challenges, including but not limited to introducing and facilitating Austin's first comprehensive strategic planning process that promises to align city council, city staff and the budget in new and exciting ways. Whereas proving there is no more devoted and greater advocate and tireless worker for the city of Austin than Ms. Hart, she championed a cultural change in city hall, marked by encouraging a freer flow of information that has led to greater cooperation and collaboration between staff and city council and new levels of interdepartmental support and innovation. Now, therefore, I, Susana Steve Adler on behalf of a grateful city council do hereby proclaim February 15 of the year 2018 as Elaine hart day.

[ Applause ]

>> Thank you.

>> Mayor Adler: We also have, if the council offices, something for owe, and I don't know exactly how to describe this yet until we have a chance to speak with the city attorney.

[12:06:19 PM]

[ Laughter ] Because we've learned that it may be inappropriate for a city employee to give another city employee a gift, which I don't understand. So we're going to have to work on this. So for the moment.

[ Laughter ] As part of office supplies in your office.

[ Laughter ] We're giving you something to have in your office as -- we'll figure out what to call it later.

[ Laughter ] But this is from a very grateful council.

>> Thank you so much.

>> Mayor Adler: We'll let you open it.

>> Wow.

[ Applause ]

>> Mayor Adler: Lifetime supply of pens.

>> Thank you. Oh, my.

[ Applause ]

>> The mayor offered me a microphone and I never turn one down. I think that's one thing y'all have learned about me. First of all, thank you, council, mayor and council. Thank you, all. I'm doing it.

[ Applause ] I just -- it was such a wonderful opportunity.

[12:08:19 PM]

I learned a lot. I hope that y'all learned a lot. I had such support from the employee base of this city. I love them all. I love the city. And it was a lot of fun. I hope council had fun too. We did a lot of things. We got a lot of things done, and now we have a new city manager, Spencer Cronk, and he's going to continue those exciting things and add more of his own. I'm just glad to be here to support him and thanks for the ride. It's been so much fun. Really enjoyed it. Thank you.

[ Applause ]

[12:12:58 PM]

>> Mayor Adler: Sorry for the delay. We'll now move to citizen communication. We have one podium turned in the right direction. Gregory Johnson. Mr. Johnson here? Mayor pro tem, I'm going to call the first speaker, and if you could take the council through this agenda. Will Mack. Is Mr. Mack here? Come on down. Mayor pro tem, if you would take the chair, please.

>> Welcome, sir. You have three minutes.

>> Good afternoon, councilmembers. My name is Will Mack. I've lived in Austin three years. I recently moved into councilmember Renteria's district over on East Riverside, a beautiful neighborhood. I moved to Austin because it inspires people to think differently. This has drawn people from all over the world to our city, which is cause -- has caused a high level of population growth. There are challenges to this population growth, including the ever-rising cost of housing, increased traffic congestion. Overall the city's response to these issues has been inadequate. Housing -- the cost of housing continues to rise and traffic is getting worse. Take, for example, the most recent draft of the Codenext. A city caved and allowed the wealthy elite of the neighborhood associations in central Austin to dictate how we plan for future growth. Not allowing landowners more freedom in how their land is used and developed and limiting the amount of density in these central neighborhoods will exacerbate our affordability problems.

and will exacerbate our traffic problems. These problems hurt all citizens of Austin, but they disproportionately hurt our low-income citizens.

[12:15:00 PM]

Gone are the days when a range of housing options were available to people of all socioeconomic statuses. Austin is becoming only accessible to the wealthy elite of the central Austin neighborhood associations. Lower-income citizens no longer have a place to go. They're being pushed to the edges of our city and even to the suburbs. I implore city council to take action now. Don't let the wealthy elite of the central answer neighborhood associations take over our city and make Austin less and less affordable and traffic worse and worse. Work to make Austin a city that's accessible to people of all socioeconomic classes. Please fight for more density in our central city. Thank you.

[ Applause ]

>> Tovo: Thank you. Next up is Susanne Paul. Ms. Paul, if you would come forward. You'll be followed by Carlos Leon. Ms. Paul is speaking about speed mitigation in the jester neighborhood.

>> Good morning. I'm the chair of the hoa safety committee, and I'm here speaking on behalf of jester estates residents. 85% of whom do not support the use of speed cushions. Atd made commitments to council last August as justification for restarting the traffic calming program and they have not followed through on those commitments. I ask that you, council, hold atd accountability for those commitments with regard to budord drive. The August 2017 memo notes that streets like budord one of two exits from our neighborhood should be subjected to an expanded public input process. Buford is explicitly marked in exhibit one with expansion to expand public input. That action came from atd but they have not done it.

[12:17:00 PM]

They've made no effort to receive or consider public input from the affected residents. Atd also states that on streets that serve a larger number of residents, notification and buy-in needs to be shared across a larger group of individuals. Again, no residents beyond the small eligible area have been engaged. Atd states that should a neighborhood association engage and request an alternative approach we will work with them to determine if an alternate solution can be pursued. To the contrary the safety committee's numerous documented attempts to engage with atd for Buford have repeatedly been shut down and ignored with no justification provided. The current traffic calming program is extremely unpopular and divisive. Improved solutions exist, and I encourage council to take the lead in pursuing them. Jester residents want a tiered approach that begins with education and behavioral modifications and progressively adds engineering controls, such as radar signs, before resorting to speed cushions. Atd committed in writing to the mayor and council to move toward such an approach but has not followed

through on its commitment on Buford. In conclusion we ask that atd give us the opportunity to show that our speed awareness efforts brought speeds on Buford into compliance and then the first.

[ Buzzer sounding ] Speed -- defer speed cushion installation for as long as that is maintained. Is that my time up?

>> Tovo: That is my time.

>> Thank you.

[ Applause ]

>> Tovo: Councilmember alter --

>> Ms. Paul?

>> Tovo: Ms. Paul, if you would come back to the podium. Councilmember alter has a question for you.

[12:19:05 PM]

>> Alter: Actually, first I want to thank also Paul for his leadership on the jester safety committee. It's not usually our custom to have much conversation at this time but I did want to point out that Mr. Spillar is here with some of his staff and I know there's several others of you who are going to speak, and he'd be happy to speak with you after this. I think that would be the appropriate next step. He's --

>> Thank you.

>> -- Over there and he may address your concerns directly with him. I don't want repeat that for the other ones.

>> Okay.

>> Tovo: Thank you again for being with us. Mr. Leone you're next, you'll be followed by Phil ponebshek, also speaking with jester hoa safety committee. Mr. Leon, you have three minutes.

>> Carlos Leon. Austin, Texas, February 15, 2018 to speak what's right. First and foremost thank you for letting me fight evil here, to overturn the chief disciplinary council's fraudulent classification of grievance 201705318 under the substantial evidence rule to move it forward as a complaint, to legally hold accountable Austin assistant city attorney chase reed gamilion for his professional misconduct against me, read cases 852-9410 and 856-0652. I presented this legal evidence and analysis when I spoke directly to the state bar of Texas executive committee and board of directors January 11 and 26, 2018, on record, like I'm doing now. I told those public servants to adopt, publish, and use written grievance classification guidelines and protocols to protect us, the public, from their guilty members' professional misconduct by punishing them, not protecting them.

[12:21:20 PM]



Let's see what they do next. Cap metro continues employing an evil network of anti-drivers who act like abusive sex offenders, doing the exact opposite of what they're supposed to do, violating passengers' civil rights. To gas light and control passengers by unlawfully restricting or denying passengers' natural law freedoms of choice, movement, and travel. Disobeying cap metro policy and procedure, Texas penal code, Austin transportation coat 13-2-132 and constitutional law, which legally protect passengers' rights and define those drivers as public servants who must professionally and courteously serve us passengers, not the other way around. Operator 6440, sixed 090, 6429, 17910, and those like them need to be immediately and permanently fired. To help new CEO Randy Clark drain the swamp drowning cap metro. Those alien anti-drivers appear to be.

[ Buzzer sounding ] Loyally to liar and fraud, Kenyan anti-christ Obama, trader of America. In Jesus' name I pray amen. Thank you, lord. God bless Texas, the united States of America, constitutional law and truth.

>> Tovo: Thank you, Mr. Leon. Mr. Phil ponebshek. And you'll be followed by Carol Philipson, also talking about speed bumps.

[12:23:25 PM]

>> Now for something completely different.

[ Laughter ] Hi, Phil ponebshek, safety and environmental consultant with an engineering degree. And I've been a resident of jester for 24 years. We raised children in jester. I'm a regular runner and cyclist so I have a high sensitivity to and concern for roadway safety. We're on the jester safety committee there's been an interface between the committee and atd to work solution that's address both safety and resident concerns over vehicle damage, physical pain, aesthetics and other issues due to speed humps. I'd like to talk about Buford, there are two routes out of jester, jester boulevard to 2222 or Buford to 360. Atd clarifies Buford as a neighborhood street and ignores its role as a primary entrance and exit to the neighborhood and clearly serves as a collector to the entire neighborhood and should be classified as much. The geometry creates a natural mitigation effect on speeding. The median speed was approximately 29 miles an hour, slightly below the posted 30-mile-an-hour speed limit. Atd's most recent test last August the 85th percentile speed -- thus these data show first the average driver on Buford is already driving bloat posted speed limit. Second the vast majority of drivers on Buford are driving 33 miles an hour our slower. Let me take a second to reflect on our committee's successes with support from the atd to reduce speeds along jester boulevard. Jester boulevard did have a speeding problem, measured at 39, 40 miles an hour which in part led to installation speed cushions last summer. Our safety committee driver awareness programs have lowered those percentile speeds to 32, 34 miles an hour at three monitored locations without speed humps.

[12:25:33 PM]

We expect these results have translated to slower speeds on Buford but today the atd has been unwilling to collect additional data prior to moving forward with the installation of speed humps. We believe the installation of the speed monitoring devices was useful for reducing driver speeds for the entire length of jester boulevard and focusing on driver awareness would be less disruptive, lower cost and more successful means of increasing safety. Along with angering residents it will divert some drivers to smaller neighborhood roads, the consequence that arises from the department taking a black and white position based on a .1-mile exceedance of the target criteria. When in professional life I need to evaluate everything from purpose to impacts on the natural and human environment to costs to unintended consequences. From that position I have to conclude the atd's decision fails on virtually every one of those criteria. Thank you.

>> Tovo: Thank you, sir.

[ Applause ]

>> Tovo: Carol Philipson, you'll be next, followed by Sylvia Mendoza.

>> Hello, thank you for letting me speak. My name is Carol Philipson, resident of jester for 22 years and I'm here today with Susanne and Phil who spoke to address what jester residents want for speed mitigation on all jester streets but in particular on Buford drive. We speak on behalf of not only those who came here today but also 85% of jester residents who do not support these speed humps. The hoa recently passed a resolution regarding the use of speed humps in jester which I will leave with you to read but here are the key points. Number 1, temporarily suspend installation of speed humps in jester. Two, collect updated measure of support for speed cushions on Buford from residents that would be affected by the speed humps. Three, consider classifying Buford as a collector road.

[12:27:34 PM]

Four, explore alternative speed mitigation options. In a February 10 memo to the mayor and city council from Robert Spillar it states "Should a neighborhood association engage on the project and request an alternate approach, we will work with that neighborhood organization and applicants to determine if an alternate solution can be pursued so long as the documented speeding issue is mitigated." The jester hoa has repeatedly contacted atd to discuss these alternatives but they have been nonresponsive. AtD has turned a deaf ear to our request for a speed retest allowed stated in the city of Austin procedures and guidelines. AtD also denied our request for removal supported by 60% of eligible residents also an option written in the procedures and guidelines. Nor has atd sought expanded public input from the 1200 residents. These four speed humps will affect on their only east-west exit from jester. In conclusion we ask city council take action and insist that atd be accountable for their statements and work with the jester hoa and residents to develop an alternative plan for speed mitigations on Buford drive before the proposed speed humps are installed this month, this month, not next month, this month. We have learned that radar speed signs on jester boulevard have a slowing effect for the entire length of the road. This could be an option for Buford. Over 300 residents attended a town meeting after the jester

speed humps were installed. The jester humps affected 50% of residents. The Buford humps will affect 98%. To have four speed humps installed at three quarters of a mile punishes residents who slowed down on jester, this will lead to an outcry and waste valuable money. I need to ask you a question how do we get them stopped before you put this on the agenda? I'm hoping Allison alter will want this on the agenda and will have two other people that will want to put it on the agenda so you can vote on it.

[12:29:35 PM]

How do we stop it in the meantime?

>> Tovo: Thank you. Does that conclude your remarks?

>> Yes.

>> Tovo: Sorry. I know councilmember alter has a --

>> Alter: I just wanted to thank the residents for coming down to clarify that Mr. Spillar will meet you likely in the boards and commissions room and the scope of this meeting will be up to Mr. Spillar. I wasn't involved in all of those conversations about what the appropriate next step is. I don't know how much time he has that he would be able to address all of your concerns this afternoon but I did want to make that connection personally for you so you can take the appropriate next steps.

>> Can we get it on the agenda in case something --

>> Alter: This is not the appropriate forum for us to have that conversation.

>> [Indiscernible]

[Overlapping speakers] Concerned citizen.

>> Alter: As we've done for a long time we're working with you and facilitating that conversation with atd.

>> This can affect other neighborhoods so that's why it's very important.

>> Alter: Total the forum for you to come and speak and I appreciate that.

>> Tovo: Thank you.

[ Applause ] Sylvia Mendoza. I thought I saw her come in a little earlier. We will pass her for now. Ah, I apologize. I thought I had seen you earlier. You are up, Ms. Mendoza.

>> I hate to rain on your parade, but city manager, I'm here to roast you. While billions have been wasted on researching toll roads I've got the answers up here on why truck drivers refuse to take the toll roads. I've heard that the upper deck is on the drawing board and may be destroyed so just as soon as it comes to down I may just reveal those responses. Other business. I advised a certain it was and the city council that I would have been a good fight for the next city manager. Spencer cronk I'm here to baptize you in fire.

[12:31:36 PM]

Let me break it down to a science science. My forte is getting information. I was directly informed by some of the police force that city council would never ever agree to an austinite because they wanted someone they could easily manipulate, influence, and steer wherever they wanted, quote-unquote, they wanted a puppet, I was told, and those are not my words. Now I'd like to quote sir Walter Scott, oh, what a tangled web we weave when first we practice to deceive. Here's some headlines. City manager and city auditor, making waives and strengths. Criticizing and a witch hunt over city manager's report and much, much more. With a \$325,000 salary and housing stipend I'm going to need you to hit the ground running for the city because you're a work in progress. It's not all hands on deck with the city council and you're not working with a full deck either. Did they inform but the weirdness of the city? Because this is your initiation to it. On a serious note, I'd like to welcome you. I know you bring fresh ideas, teach them to take note or vice versa for an answer. Give them all you've got. And do not, I repeat, do not let them control you. Auxiliary destroyer out. I still got time? Let me see. What was the temperature for one of the coldest days in 2016 in the twin cities? You can use the life line if you'd like and call your husband. I'll tell you. I heard it on the news, negative 42. I called my son who is in the military and stationed in twin cities and he said, no, mom, it's negative 47. My other son, who is a dare devil, hopped on a plane because he wanted to feel it for himself. He slid down a cave and couldn't get back out so my other son had to go to home did he expo get a rope to get him out.

[12:33:37 PM]

They have a home dough po there. That's my connection. Three my sons have been to Minnesota. Not me because I figure they want me to go, I figure as soon as I get off the plane I'm going to break apart so I decided not to go. I still got time? Let's see. What else can I ask? Let me see. Bicycle, I'm good!

-- I need to be solid for the universe.

[Buzzer sounding]

>> Tovo: Thank you, Ms. Mendoza.

[ Applause ] Susana Almanza, you're next.

>> Who needs to go to

[indiscernible] Follies. I'm the chairman of the

[indiscernible] Contact team and I wanted to talk about the Morris Williams golf trail we are proposing. We have proposed a hike and bike trail, probably the biggest equity building project in district 1. And it creates perhaps for 35,000 people and there are three major sections, which are the three parks, 300 acres of park we are opening up. For the 200 acres of park on the top we have already raised \$5,000. And there is a route through that golf course. It does many things. One of the things is it connects to

Mueller and why is it so important for us is all our amenities are at Mueller. When you talk about grocery, pharmacy, everything is at Mueller. And, I mean, we like it that we have these facilities but somehow we have to go to Mueller without driving our tanks. Now how does the golf course look like? I hate this subtitles so it looks like on the Mueller side, where the predominantly the rich people live it's manicured beautiful.

[12:35:37 PM]

On the top you will see how the south side looks like. It has a fence. And it almost looks like to me like apartheid period in South Africa, that the south side people are not allowed to enter because there is a fence and in north side it's all open. How do I explain this to my 6-year-old daughter? That you cannot go in on your side? You have to walk one and a half miles extra to go into a golf course but the kids from other side can enter? How do I explain this to my daughter? Some of you can probably do that. This is how the golf course looks like. That's the Mueller side and that's the south side. And the road through the golf course actually already exists. 90% of the road exists. It's -- it belongs to Austin energy. And if you see, not only it connects many neighborhoods, but it sits in the middle of all these neighborhoods. And all these people want to go to Mueller because nobody has a grocery, nobody has a pharmacy. And if we have to go through the normal route, we have to walk 1 mile extra. So what number of people are we talking about? 9,000 people on one side, 15,000 people on another side? And it's increasing. Because we are getting so much housing. What kind of numbers -- support numbers are we talking about? We were supported by transportation commission, and you can see that. We have 800 signatures in change.org and I can send you the comments if you want. We have [indiscernible] Support of the community for this trail.

[Buzzer sounding] So just one other statement, if you -- can I go just through this slide, if you don't mind?

>> Tovo: Is this your last slide?

>> Yes.

>> Tovo: Yes, you may finish this last slide.

>> We had a meeting in the golf course and it was very sad because the meeting started with this statement "If the south side is open then things will be stolen from our golf carts and the golf carts carry guns, they will shoot."

[12:37:41 PM]

I will send that you email, my councilmember. Another member said she will feel unsafe because somebody somewhere in the trail was assaulted in Austin. Is this Austin we want to look for -- I mean, have our kids grow up in? I'm requesting everybody to remove the fence. Thank you.

>> Tovo: Thank you very much for being here.

[ Applause ] Susana Almanza, you are next. And you'll be followed by Daniel Llanes, who is our last speaker for today

>> Don't start the timer yet. Good evening, councilmembers. I'm Susana Almanza with the montopolis neighborhood association and for the over 9,000 voters who signed a petition opposing the siding of the Precourt venture 20,000 seat stadium in the Guerrero metropolitan park. The Roy Guerrero park is unique in the city system by design. It is designed to accommodate wildlife while also keeping the residents' activities at a human scale. Many of us are tuned in to the voices of 320 bird species that call Guerrero their home. We are also in tune with the wildlife animals there, deer, foxes, and rabbits. The thousands of trees and the Colorado river. They call out to us for their protection. Theirs are the loudest voices you are missing. The balance between nature and humanity is important to thousands of residents, and those that vote with their roots in the Earth, those that sing the song from above, the wildlife of the park and the sacred waters that give us life.

[12:39:58 PM]

Regarding erosion at the parks, funds have been allocated by the watershed protection department, the parks department, and FEMA. So there's no need to give our parkland to private corporations as a trade-off for erosion control. We don't oppose

[indiscernible] In our city but it must be in the right place and private corporations should pay their own way. Parkland is for the public, and we should protect it and not give it to a private entity. Nationally and locally, lands are facing challenges of privatization. Austin city council should not follow the trend of privatizing our public lands. Councilmember Renteria, if you feel that this item should be put on the ballot for the voters, then we ask you to put codenext on the ballot so the voters can decide. Let's protect our public parkland. Thank you.

[ Applause ]

>> Tovo: Thank you. And our last speaker for today is Daniel Llanes.

>> Good afternoon, thank you for your service. My name is Daniel Llanes. And I'm speaking about Guerrero park, butler shores, breaking the cycle. The elimination of butler shores from consideration for the mls soccer proposal and not Roy Guerrero park is symptomatic of a continued culture of institutionalized racism with which the Austin government is coming to grips. A system supported by governmental, bureaucratic and business culture that is not only -- that is only now becoming aware of its participation in the system.

[ Buzzer sounding ] With which the Austin community reached critical mass of intolerance. I don't understand?

>> Tovo: That's not three minutes. You can continue.

>> Okay. Thank you. A system which the Austin community has reached a critical mass of intolerance, of systemic racism, the community is well ahead of city council and staff on this issue.

[12:42:00 PM]

In general we should not allow public parkland to be commercialized for private -- corporate profits but specifically protecting parkland in west Austin from privatization while allowing parkland in east Austin is -- to continue as a target for commercialization is a clear example of environmental and institutional racism. At the rally at Guerrero park on February 3, neighbors from east, west, north and south, 12 neighborhood associations, the Austin neighborhoods council leadership, save our springs, Sierra club, members of the parks and environmental board, county commissioner Marty Gomez, the only elected official to support us, daughter of Roy Guerrero, Linda Guerrero, and she's here right now, so there were various groups represented just like right now. People from all over the city coming to eliminate Guerrero park from consideration. We're asking you this. The Austin community is coming to the aid of what wildlife-friendly park unique to the park system in east Austin. These people were there to protect the park consciously from further gentrification. Gentrification that is now being recognized as an intolerable consequence of systemic racism. The rally at Guerrero park reflects the community coming together to take action to dismantle institutionalized racism. We ask you to join us. We call upon all of the city council and city staff as human beings, beyond your post, to take steps to remove Guerrero park just like butler park from consideration from the mls soccer proposal. The residents rights of Guerrero park are no less precious than the residents of butler park. We ask you to show us that you will no longer participate in a system of systemic institutionalized racism.

[12:44:05 PM]

Thank you very much.

[ Cheers and applause ]

>> Tovo: Thank you. Thank you, all, for coming down. That concludes our citizens communications for today. The city council will now go into closed session to take up one item pursuant to section 551071 of the government code, the city council will discuss legal matters related to item 42, which is to authorize negotiation and execution of a contract with community technology network or the other qualified offer the request for professionals to provide community technology, access, management services for up to you five years for a total contract amount not to exceed \$860,000. Note -- shall I read the note? No. This solicitation was reviewed for subcontracting opportunities in accordance with city code 29c minority owned and minority-owned business programs. No subcontracting opportunities were available, therefore, no subcontracting goals were established. Is there any objection to going into executive session on the item announced? Hearing and seeing none, the council will now go into executive session. The time is 12:44 and we'll see you back soon. Probably -- what do we think? 1:30?

>> Spencer, welcome to Austin citizen engaged democracy.

>> Tovo: Is it -- I believe we do have one item we can take up at 1:30 and I think that is councilmember kitchen's. Is that right? 82? So we'll aim to be back here by then.

[ Exec

[1:59:17 PM]

>> Mayor Adler: All right, it is a 1:58. Let's take up item number 42.

>> Kitchen: Mr. Mayor, I have speakers that need to leave. If it's okay with councilmember pool, could we take up 82 first?

>> Mayor Adler: We have requests for item 42 and looked like something to take care of quickly. We thought we would go ahead and do that. Item number 42. Do you want to make a motion, councilmember pool?

>> Pool: So the motion that I made previously --

>> Mayor Adler: Was to postpone until March 1st. Was there a second to that motion? Is there a second to that? Ms. Houston seconds. There's been a motion and second to postpone this item until March 1st. Any further discussion? Are you ready to take a vote? Those in favor of postponing this item raise your hand. Mayor pro tem, me, Garza, Houston, kitchen, that's six. Those voting no, Flannigan and troxclair and we have three -- the motion to postpone, item number 42, let me take the vote again. There's been a motion and second to postpone item number 42 to March 1st. Those in favor of the motion to postpone please raise your hands. Those opposed? Flannigan, troxclair voting no, alter off the dais. This item is postponed until March 1st..

>> Thank you. So, Mr. Mayor, I'd like to move passage of item 82, which relates to creative arts cultural spaces.

>> Mayor Adler: Is there a second to the motion here on 82? Council member pool seconds that.

>> Kitchen: So before I speak to it I think we can just go to the speakers and then I'll speak to it after the end of the speakers.

[2:01:19 PM]

>> Mayor Adler: Okay. It looks like we have 12 people all speaking in favor of this. Looks like it's going to pass. So everybody shouldn't feel that it's necessary for them to speak to the full amount of their time.

[Laughter] If they don't wish to do that. But we can certainly call speakers. Is --



>> Kitchen: Mr. Mayor, I think there were two people that also wanted to go first if they could because they have to leave shortly.

>> Mayor Adler: That would be fine. Those two people come on down. You go to each different podium.

-- podiums why don't you introduce yourself. Hang on a second, it's not on.

>> Hello, test. Hi.

>> Mayor Adler: Hi.

>> Hello, council members. Thank you all for your time. Thank you, Ann kitchen for all that you're doing. I'm Florenda Bryant. I'm a co-producing artistic director for Salvage Vanguard Theater. I'm the director of enrollment for Creative Action. Not to waste anyone's time. We know how important the arts are to Austin. I think that we could go over the economic point time and time again. Some things I think that are missed that we -- this directly impacts our arts education as well. For every arts organization that is doing work with the thousands of children in Austin, Texas, those are teaching artists, those are artists that need space to do their art to continue to stay here. Something else that I did want to just let you guys know that it is terrifying, terrifying, the idea that I cannot do my work, I cannot practice my craft. This is not a hobby. This is my job, and I can't do that because I can't afford space. The city has been very generous with different programs and art residencies that we appreciate for free space, but we would really appreciate an opportunity to be able to continue to fish for ourselves.

[2:03:20 PM]

Give us something affordable, something that

(indiscernible), and we will continue to make the city proud. Thank you.

>> Mayor Adler: Thank you.

[Applause]

>> Thank you, council members, for your service to our city and your time here today, my name is Alberto Mehia. I'm the senior director of community programs with Creative Action. Thank you citizens for being here as well. I come today as a citizen of Austin, a district 2 constituent and a board member of the Austin Creative Alliance and in support of item no. 82's passage. I have lived and worked in Austin for nearly four years, including two years as the manager of the Dougherty Arts Center. As a cultural worker and cultural space manager, I have worked with hundreds of groups and individual creatives representing the beautiful and dynamic diversity of Austin. I was and remain in awe at the selfless inspiration and determination of these artists to share, to teach and build community around their creativity, often while working multiple jobs, juggling the demands of family and searching for affordable spaces of decent quality to create and to convey their work. These pressures are of course compounded for cultural workers and artists of color. We know today that the arts are critical yet distressed component of our city's identity and economic vitality. This is also true at the neighborhood

level. Take my community of dove springs in district 2, populated by workers builders and crafts people whereby culture exists block by block. Quite literally you may encounter traditional dance performed in a driveway or in a vacant basketball court. Without explicit and inclusive policy around access and actual cultural spaces for this burgeoning cultural expression to be developed, shared and infused into the identity and ecology of district 2, our neighborhood is vulnerable to the status quo pattern of physical and cultural displacement and the imposed identity that comes with inequitable development.

[2:05:31 PM]

This measure represents a concrete plan inspired by best practices of other leading cities, that our local government were take to preserve and facilitate cultural infrastructure and space for all in Austin. I ask that you approve item no. 82 today with the incorporation of the city of Austin office of equity as a stakeholder and request your continued attention to this critical issue. Thank you all very much.

>> Mayor Adler: Thank you.

[Applause]

>> Mayor Adler: Mary voman, and after that it's Catherine brimberry, Mary voman first. You each have three minutes if you want to take that long.

>> Hi, my name is Mary vofman.

>> Mayor Adler: I apologize.

>> It's v-a-u-b-h-m-a-n, but -- that's why my email has b-o-f-m-a-m. I am the chair of the Austin book arts center which is a 501(c)3 educational nonprofit. They still spelled it wrong. I am a teacher and I brought some visual AIDS, and I have given each one of you an envelope. I want to say thank you for your service, and I want to say that I support council member kitchen's proposal. Let's do it, but -- oh, I'm sorry, I'm going to interrupt myself. Coming in I noticed next to the door to the chambers is a painting by Daniel arredando, who is one of the artists who is about to lose his studio space. I want you to know this proposal is great but one size doesn't fit all. I'm a tenant at flatbed. We have to move. We have to move before February 2019. I gave each of you an envelope with a cutting from a paper mulberry tree.

[2:07:34 PM]

Paper mulberry is an invasive shrub that grows in Austin. Paper that costs \$20 a sheet can be made from the fibers in this shrub, and it would also get rid of the invasive shrub problem, and we know that that's good paper. It can last a thousand years because the paper that is a thousand years old was made with shrubs like this. If we get a large enough space when we move, we can make that kind of paper. You also have in your envelope a printed bookmark that's a letter press printed bookmark. Feel it. Feel the impression. Austin has -- we in our classes, grown-up people say I've got goose bumps, and kids are likewise enthusiastic. So I hope that you get goose bumps from your bookmark. I gave you a back sheet

about Austin book arts center. Please read it. Explore the links. Watch the video. Even better visit us. This Friday from 6:00 to 8:00 we have an opening at two galleries in flatbed, two of the 12 galleries at flatbed. We -- if we're going to keep going we're going to need help. We'd like to partner with other organizations and become a big center in Austin. We'll need to be close to bus service. We'll need to be close to educational institutions like UT and ACC because that's where we get some of our volunteers. Our equipment alone weighs 10,000 pounds. Your bookmark was printed with equipment like that. So we want to be here. We don't want to be in a place like bub ok or -- Lubbock or buddha. We got started here. This is where we want to stay. We're about literacy as well as creativity. Thank you for your support.

>> Mayor Adler: Thank you.

[Applause]

[2:09:36 PM]

>> Hello, thank you for inviting us to come. My name is Catherine brimberry. I'm the owner and director of flatbed press. We've been in business here in Austin since 1989. That means we are 28 years old, and we've been operating a print making studio, first downtown and then we moved to east Austin in 1999, and established what is an art center now in east Austin and a large 18,400-square-foot warehouse that we developed. We wanted to create a space for our own press, but we also wanted to create a space for other like-minded artists and arts businesses to come, and it's happened, and people are there. We have wonderful tenants that share the space with us, and it's considered an art center. We regularly attract people from out of town as well as people from all over the city, and we've had international visitors and museum groups who have traveled to Austin to visit us, and along with our studio, in our warehouse, we have three other galleries, camiba art gallery show creek, which is the oldest gallery in Austin, the newest gallery which is respec gallery. We have also have a home for the Austin book arts center which you just heard Mary speak about. Four artists studios and an architectural firm. With 28 years in business here in Austin, I had a chance to personally see how the arts have brought recognition to the city and how embedded the love of art is to the culture of Austin. One example is the east Austin studio tour and the west Austin studio tour, which I'm sure you must be familiar with. Those are annual events and they're attended by thousands of people.

[2:11:37 PM]

Flatbed has been a part of this since 1999, and every year we see it grow. And when we moved there in 1999 that neighborhood was not known as a place for galleries. Some artists have found studios and houses to rent because it -- rents in east Austin were less, and we even found an affordable space to lease and develop the 18,400-square-foot space that I mentioned. In the 19 years that we've been there, it has been the arts that have brought the economic vitality to east Austin. This makes east Austin a desirable place to live, and it fuels desires for the development that's going on there right now. It's an

old story that the arts core, their energy and their creativity into an area making it desirable, and then the developers reap the reward that the artists have planted and then we leave. I'm deeply concerned about the sustainability of our creative community, due to the rapidly developing areas in east Austin, and I highly applaud this item 82 and hope it makes a big difference to the rest of us who are there.

>> Mayor Adler: Thank you.

>> Thank you.

>> Mayor Adler: Thank you.

[Applause] Sullivan is the in ex-to speak -- the next to speak and Mr. Sullivan --

>> Mayor council, my name is Dave Sullivan, serve on different city boards for a long time. I'm on the board of directors of the Austin creative alliance. I simply wanted to tell you or remind you in the imagine Austin comprehensive plan priority program no. 5 is to grow and invest in Austin's creative economy. Of course that means Austin's culture of -- the cultural life within the city. It's not just about the economy, it's quality of life, space for artists, et cetera. And also I'll remind that you on the codenext advisory group on which I served in our final report that we delivered to the council we had unanimously adopted a section that calls for using codenext explicitly to try to boost arts, music and culture within the city.

[2:13:54 PM]

So anyway, I want to -- I just want to leave you with those two things, that with codenext we can use codenext to help with this, and then also it's part of what's in our adopted comprehensive plan. Thank you very much.

[Applause]

>> Mayor Adler: Okay. So after Ms. Lavery speaks, Mr. John reedy will he be at the other podium.

>> Thank you council members for your time. I'm Jenny lavri and I'm the producing artistic direct are of (indiscernible). Its mission is to do works that ask what it means to be alive in the world, since 2011 we have produced 14 pieces and won over 80 awards awards. I invite you to the art center for the world premier, by a local playwright featuring a cast about guns and gun culture in our country. I moved from Austin to the east coast in 2009 because I knew I wanted to start a theater company and determined that New York City and Boston were fiscally not viable. Conversely, Austin was. Austin had venue availability and affordability. The space that allowed me to start theater on block solidify our brand over the years served thousands of patrons and employed hundreds of local artists. Over the last few years I have witnessed the heartbreaking and rapid decline of cultural space. Not even the (indiscernible) Or van gaj theater were safe against larger scale development. Spaces are getting harder and harder to find. I am now scrambling to find rehearsal space and performance space because there are just too many artists who need space to produce work and not enough venues. I am scrambling to be able to fulfill our cultural arts division contract for the sole reason that we can't find theaters to rent, and I know for a fact that I am not the only one in that position.

[2:15:54 PM]

The uncertainty of where to rehearse and perform means that we can't create seasons in advance. We don't have control over the time of year we produce. We spend more money trying to get our patrons to follow us. We experience audience attrition because despite our extra efforts they won't all follow, so we see a decline in ticket revenue. We produce less, which means we serve less patrons, and we employ less artists and less technicians. We are at the whim of whatever space we can find. Because of the lack of space, theater on block is changing from a growth model to a stabilization and maintain model, but this will eventually be unsustainable for us and for our patrons. Protect artists, and provide space for theater on block for the creative class, for your artists, the artists that have made Austin a desirable place to live and work and continue to do so. I ask that you approve item 82 and I request your continued attention on this critical issue. Thank you.

[Applause]

>> Mayor Adler: Thank you. And on deck is lulu flores.

>> Thank you so much, council. I want to especially thank council member kitchen and her staff. I have decided to drop my persuasive arguments and just give you a couple of facts. In 2016 we serve a 230 art spaces in every district in the city. 53% of those do not expect to be able to renew their current lease. That means starting next year we're going to lose a hundred or more spaces in town. So this is the first step in creating a toolkit to maybe mitigate that loss, to approaching a market that is out of reach. These are healthy businesses. These are businesses that sell tickets. These are businesses that employ artists, that just can't keep up with the market. And so what we're looking for and what this resolution opens the door to is a toolkit that we've observed in other cities that can mitigate those market conditions and give us in the arts the ability to interact with the development community, the affordable housing community and other communities that are experiencing needs due to growth in a productive way that we can all benefit from.

[2:18:12 PM]

I really do appreciate your attention to this matter and thank you very much.

[Applause]

>> Good afternoon, I'm lulu flores and I am on the Austin arts commission but I'm here not representing the commission, I'm here solely representing myself, and I do want to say thank you all for your time and your service to our city and to our arts community that you have given us. I do want to say that the resolution states very clearly that we're at a critical time and artists are struggling to find spaces to work and to live, and so it's critically important at this time to find solutions, and it also states that the city has the opportunity to create solutions. And so that's really important, and I'm just here to offer any services that I can do to help in any way. We'd like to get any directive that the council will give to the

commission that we can help. We have a wonderful staff in our economic development division and cultural arts division -- department, and cultural arts division, and we know that we have to do something now. We are at a critical juncture, and Austin is a Mecca for the creatives and the musicians and just the whole cultural scene, and we need to maintain that. If we want to have Austin remain Austin and be appreciated for the things that we have come to value, we need to do something and act now. So I appreciate council member kitchen and all of the co-sponsors and all of you for helping us find solutions for this very critical issue. And with that I won't belabor it. You've heard from more eloquent speakers than I so I just want to say thank you again.

>> Mayor Adler: Thank you.

[Applause]

[2:20:13 PM]

David king and then Joshua green. Is Mr. King here? Then Joshua green, and on deck is Dewey brooks.

>> Hi, how is everyone doing today? I want to thank you all and thank Ann kitchen for bringing this item number. My name is Joshua green. I'm the director of project art complex and we're a member of the Austin great alliance and we support item no. 82. The project is a nonprofit that was founded in 2005 that was afforded us with studio spaces and resources. Currently we're home to 34 we have about 45 artists there right now and over the years since 2005 we've served over 250 artists with affordable studios and had almost 200 exhibitions. We also major stuff on the east Austin studio tour, which attracts thousands of people to visit art studios each fall, and, you know, we have never had a problem with filling spaces. We've always been 100% full every single one of these years and even in our current circumstances we still have people applying, even though they're fully aware of our current situation. Our mission of affordability has been increasingly difficult as property taxes, rents and other expenses have risen at a faster pace than artists' income and nonprofit funding. And now the project is under a direct threat as our building is for sale and our lease is currently month to month. I have lived and worked in Austin for over 20 years and I have seen how the creative culture has been a big factor in attracting companies to choose Austin, and now our community -- our community is trying to cope with the rebound effects of all this success. And as you're probably aware by now, many cultural art menus such as pomp project and recently flatbed press, and many more are under threat.

[2:22:15 PM]

We've all been looking around for a suitable, affordable new locations, but I've been looking for quite a while. There's just not a lot out there. The affordability level is just too much for many of our artists, and especially our younger artists who are just kind of beginning their careers. We recognize there are developers out there that are kind of aware of how available the arts are into -- valuable to keeping the character of Austin, but market prices, rates kind of dictate all -- the rental rates and all that, and we're

kind of finding right now that our prior ceiling price, top we could go is now just the new floor and just goes up from there. The arts just generally require a basic level of infrastructure and it's composed of nonprofits and individual artist and cultural venues. I think they are a critical component of our city's identity, economic vitality and have come to identify what makes Austin, well, Austin. So I ask you approve item no. 82 today and request your continued attention to this critical issue. Thank you very, very much.

[Applause]

>> Mayor Adler: Thank you. Do we broach Mike Levine? And then Asia gray.

>> Hello. And good afternoon. My name is Dewey brooks. I'm the current president of the board of directors for spectrum theater company. I am also the current vice chair of the board of directors for the Austin creative alliance. I have lived in Austin for 40-plus years, and within that time I have been involved in the arts community for 25-plus years within that 40. Within that same time frame I co-founded pro-arts collective with Boyd vans and Trina walker, and have served on other various boards in Austin such as the board of directors for the Austin children's museum.

[2:24:27 PM]

I've seen the way that the arts have inspired others to give to the community. Well, we do know that the arts are a critical component to our quality of life. This quality of life is what draws many businesses, large and small, to move to Austin, Texas. We also know that the arts require a basic level of infrastructure to be viable. At all levels this basic infrastructure is under threat through affordability issues for individual artists, available funding for nonprofits, and spaces to compose, create and perform. This infrastructure is composed of nonprofits, individuals and cultural venues. I ask that you approve item 82 and request your continued attention to this critical issue, and I thank each and every one of you, mayor, city council members, city hall, and the citizens of Austin, Texas. Thank you.

[Applause]

>> I'm Mike Levine, I'm on the board of Austin creative alliance. I serve on other boards, neighborhood council, my neighborhood, a couple other ones, but the important thing here I think is that you're creating a tool that will allow our creatives to have spaces to ply their trade and make a living and create jobs ultimately, and at the same time doing this outside of some of the strains and forces that the market can put on these spaces. So I think you're giving a new tool here that will be -- you'll look back in ten years, I think, and say that you maybe changed direction here for a lot of folks. And so I really appreciate council member kitchen, alter, pool, and the mayor for picking up this important project and running with it and we look forward to helping you all in the future. Thank you.

[Applause]

[2:26:29 PM]

>> Mayor Adler: After Ms. Gray, the last speaker is Barna Cantor.

>> Thank you so much for this opportunity. My name is acia gray and I'm the executive artistic director of tapestry dance company. The only full-time professional repertoire tap dance company in the world. We've been here since 1989 1989. we employ eight professional dancers full-time as well as dozens of local musicians, dancers, choreographers, designers, technicians every season. As a premier member of the Austin arts hall of fame I have lived and worked as an artist in Austin for over 34 years. I actually moved from new York City for the affordable and supportive creative culture here, and I also continuously work with new York artist that can no longer afford to work and live in that city. The affordability of Austin and the generous support from the city of Austin cultural contracts over the past 28 years is a big reason why this city is home to the only full-time professional rep the other -- repertoire tap dance company in the world and we're proud of it. Two years ago tapestry was one of the first organizations to lose its space and education center in south Austin, with \$1.8 million offered in cash to the buyer for a building that was worth far less than that. We had 30 days to match that. The result, we had 30 days to tell our staff, artists, students and sub-tenants that included numerous dance organizations and solo artists, that we were losing our creative home. Luckily we are renting limited space from a commercial dance studio, but have had to cut back our educational and outreach programming by 60%, losing approximately the same percentage of our annual budget due to this lack of space for our programming. We pay 33% less in rent. However, we used to have 12,000 square feet with six dance studios with offices and storage, and now we pay \$4,200 a month for a desk and 55 hours a week and one studio.

[2:28:45 PM]

I know that Austin arts creates jobs. I've done it. We create revenue. We've done it. And we helped create the identity and vitality of this beautiful city we all love. I know that the arts in any city require a basic level of infrastructure, and to be a viable and vital system within our city. Your Austin artists are that infrastructure as well. I ask that you pass this item, 82, today and I thank you so much for your time.

>> Mayor Adler: Thank you.

[Applause] Barna Cantor?

>> He's left.

>> Mayor Adler: He's left. Okay. Those are all the speakers we have. That brings us back up to the -- to the dais further comment. Council member kitchen?

>> Kitchen: I'll just speak briefly. I want to thank you all for coming. You gave us a good reminder of why this -- this action is so urgent. It builds -- what this resolution does is it builds on the work that the mayor has done and the mayor pro tem has done and the rest of council members have done and taken some steps toward studying some proposed solutions. This resolution is about taking the next step, about taking some action on creative spaces. We have opportunities with the revisions that we're making to



our economic development program. We have opportunities with regard to codenext, to incentivize art spaces, and we have opportunities with the pilot rental program that we did last year, and with other opportunities. So this is about taking the next step. It's about taking action, and we recognize how Iraq and -- how critical and how urgent it is that as a city we do what we can to preserve art spaces. So thank you all for being here and giving us some very specific reminders and understanding of what you all are going through.

[2:30:50 PM]

So with that --

>> Mayor Adler: Okay. I also want to thank everybody for being here and being part of this, and I'm proud to be part of a council that has said this is a priority. You know, it was back in March of 2016 that as a council we passed the music and creative art omnibus resolution that listed 30 really specific things to do and then an activation ordinance a year later. This keeps coming back and this is a community that is struggling to preserve the artistic community. We often say that San Francisco is the example of a city where the median home price is 1 holy \$150,000 and -- \$1,150,000, and you're either really affluent and no one else can be in the city and they've lost a lot of creative art spaces. And as much as I like San Francisco as a city and like to visit, it's a city now that doesn't create art. It's a city that consumes art, and that's not us. That's not Austin, Texas. So council member kitchen, thank you for your leadership in bringing this back. Really looking at creative spaces. I agree, codenext has to open that door up to us. There are the trust funds that are -- the ideas in that omnibus that are moving forward and need to move forward more quickly. Work that the staff is doing on looking at incentives and then targeting those back to small businesses and creative arts organizations in our city, this is a priority for a lot of us because it's necessary for us to preserve who we are. So thank you, council member kitchen. Further comment on this? Mayor pro tem?

>> Tovo: Yeah, I also thank the sponsors and the others in the community who have worked on this.

[2:32:51 PM]

As some of you know, my first question was about how this would interact with the economic development corporation, which we have a series of resolutions asking our staff to come up with some recommendations for how we might best move forward with that entity, and it's my understanding that this resolution and its piece about the cultural arts trust does not in any way impact our ability to use the economic development corporation, once we form one, for one of its specified purposes was to assist with the preservation of arts and cultural venues, and so I really look forward to our presentation from staff. I believe it's part of our presentation coming forward on February 27 that is primarily about real estate, but I hope we'll also talk a little bit about the economic development corporation and some of the choices we have ahead of us as we move forward with that. So I look forward to continuing to move forward with our economic development corporation and hope that it will be a good assist in us

understanding that it could work and does work in close partnerships with private and nonprofit cultural arts. My initial concern, as council member kitchen, was that we were beginning asking our staff to initiate the construction of yet another entity when we hadn't gotten the one done with an overlapping function. So again it's my understanding the economic development corporation can do that kind of work for cultural arts venues as well as for affordable housing, and so again I thank you for bringing this forward and looking forward to voting for it.

>> Mayor Adler: Anything else? Council member alter?

>> Alter: As a relatively new council member, I guess I've been here a year now, I'm just really proud to support this. I wasn't here when we did the arts resolution, and so I'm proud to support the arts and do all I can to help our arts thrive here in Austin.

>> Mayor Adler: Okay. Any further discussion? This has been moved and seconded. Those in favor of this -- Ms. Kitchen, do you want to make the motion?

>> Kitchen: I did at the beginning.

[2:34:52 PM]

>> Mayor Adler: Who seconded it?

>> Kitchen: Somebody seconded it. I don't know who did.

>> Mayor Adler: I think Ms. Pool seconded. But in any event, council councilmember kitchen makes the motion, council member pool second the motion. Any further discussion? Those in favor please raise your hand. Those opposed? It's unanimous on the dais. Thank you very much.

[Applause] Let's go ahead now and move to the -- to the public safety APD contract items, nos. 53 and 54.

>> What about the champions?

>> Mayor Adler: What?

>> Champions was a time certain of 2:00.

>> Mayor Adler: We're going to do those. We're going to let the chief get to his son's lacrosse game since he missed the last two. These were pulled by council members Garza and council member pool.

>> Mayor?

>> Mayor Adler: We do have 11 people that are signed up to speak. All of them are in favor of this. Did someone --

>> I'd like to make a motion to approve.

>> Mayor Adler: Okay. Council member alter makes a motion to approve item no. 53, seconded by council member Houston. These were pulled. Did the people -- did the council members who pulled these pull them with any questions in mind?

>> Yeah, I'm offering two amendments. Are we talking about 53 or 54?

>> Mayor Adler: Let's first do 53. 53 is the resolution that concerns stipends.

[2:36:53 PM]

>> I believe there was discussion at work session, but I'm waiting for those amendments from my staff. And it was --

>> Would you mind pulling the microphone closer? We can't hear over here. Thank you. It's really hard to hear on this side.

>> I can't pull it closer but I can get closer. It was my understanding that the chief as well as our labor team believed that it was best to implement all of the stipends. The item -- the item as written does not include all the stipends, and so while I do have concerns that we are now in a position that we are negotiating these very important issues from the dais, I feel if we are going to -- if we are going to implement the stipends -- return the stipends to the police officers who have lost pay, unfortunately, because we don't have an agreement, that we should implement all of them. And so I'm -- so that would be -- that is going to be an amendment I'm going to make. And I'm happy to hear from speakers at this point.

>> I have a question.

>> Mayor Adler: Council member pool, did you have reasons why you pulled it as well? I'm trying to get the issues out so when we call the speakers we can have that.

>> Pool: Yes, I think the point I would make is that I'm supportive of putting stipends back into -- making them back active, but I did not want to pick and choose among them, and so I joined council member Garza in her concern about how there was a short -- a subset of the stipends. I would rather put them all back on the table so they could all be negotiated.

>> Mayor Adler: And I misspoke earlier. I was looking at the wrong item. We actually have about 23 people to speak on this, and there are some both for and against. Yes --

[2:38:54 PM]

>> Kitchen: I just had a quick question. Council members Garza, I had a quick question, I wanted to understand, did you make a motion or are you going to hand one out? Did you make an amendment or are you going to hand one one out.

>> Garza: I'm going to hand one out that implements all of the stipends back.

>> Kitchen: Okay.

>> Mayor Adler: Okay. Is our staff here that can speak to this -- to these? Dr. Washington? And do you have a recommendation with respect to these stipends? And then we'll go to the public.

>> Thank you -- thank you, mayor and council. Mark Washington, assistant city manager. I don't have anything in addition to offer that was not already shared at the work session from a staff perspective. I think our negotiator -- lead negotiator indicated it would be helpful in improving the labor relationship between the association and city at the table to have as many as possible of those stipends back in place while the negotiations are ongoing. He is unfortunately out today and is not here, but we do have Sylvia Gonzales, who is our assistant labor relations officers as well as police chief here, to answer any questions that council might have.

>> Mayor Adler: Okay. So your recommendation is to -- is to reintroduce all of the stipends?

>> I think the staff -- again, staff's perspective is that that would be most helpful in terms of furthering the dialogue with the union.

>> Mayor Adler: I understand. Thank you. Any comments before we go to speakers? Okay. Let's go ahead and do that. Mr. Pena, Gus Pena? On deck is makia Winfield.

[2:41:05 PM]

>> And mayor, I'm just curious, are we considering 53 and 54 at the same time? Is that --

>> Mayor Adler: It was my intent to call up the one that was stipends first. Is that 54 or 53?

>> 53.

>> Mayor Adler: 53. So 53 is the one that's called up in front of us. Please.

>> Good afternoon, mayor, council members, Gus Pena. I'm a former federal investigator with the irs, still carry my id. Cross-country prisoner escort with the federal government also. I want to say -- I'm supportive of 53. I just don't just blanket endorse anything. I look at everything very well. I would like to say that, you know, we -- my organization and others value law enforcement. We thank them because they put their lives on the line, but one thing I've told every officer that I know, and I know Botts, I know Romero, I've known the legend, Robert Martinez, may he rest in peace, all the other good officers have retired and they all agreed with me when we had a neighborhood officer stationed in different neighborhoods. We work closely with the community. We gathered their -- and gained their trust, and I just want to say, you know, there are some issues that need to be corrected, but we can correct it, but I also want to say I support law enforcement. I don't just blanket support anything, but we have some good officers out there. I met some -- a couple of officers last week who were rude, disrespectful until I showed them my I.d.'s and then they straightened out. The issue is it has to be in the best interest for the public but also for the safety and well-being of the officers also. I know a lot of good officers. I've

continued to support them. I will not support the bad officers. You know, and like I said, you know, we need to -- we need to look into a police chief asap. We need somebody on board, okay?

[2:43:06 PM]

And what I'm saying is I'm going to support this, and you're going -- you're going to take 54 different -- I mean apart, right?

>> Mayor Adler: It's been pointed out to me I would take discussion on 53 and 54 and then separate them. So public testimony will be both 53 and 54.

>> That's what I'm saying. Listen to me. It will be part of what I have. It will be okay. Listen to what I have to say. So I'm supportive, but, you know, I want the police chief, the interim, to have some classes from the community. That's what we had back then when we had chief knee, frank Dyson, Watson, I remember all those back even to 1959 when I was stopped by the chief himself, he said, wetback, you don't cross east avenue and I had the mayor say, you respect this man. You can't take him and arrest him. I had my wife come over, she heard it from my mom before she passed away. I support them. That's why I remain in law enforcement. So anyway, mayor, I support them, let's just have a good discussion and I want the police department to be courteous, help the community, but also I want the community to support our good officers. There's a lot of good ones out there. There maybe 10% that's not good, I have no use for, but the majority part of them are good, and I support them 100%. Thank you.

>> Mayor Adler: Thank you. Continuing on, this is public testimony on both items 53 and 54. The next speaker that we have is maquia Winfield. What about James Cole? What about David pinkam? Chas Moore? Abino Carles? Come on down.

[2:45:09 PM]

Christy estran, on deck. Is she here? What about Ken --

>> Mayor, (indiscernible) Suzanna Sanchez.

>> (Indiscernible).

>> She couldn't make it

(indiscernible).

>> Mayor Adler: Okay. Going down -- only people who are here are able to donate time. Go ahead. The next speaker would be Ken. You'll be up next. Go ahead.

>> Good afternoon, mayor, council members. My name is albino Cardenas and I'm representing the Austin police department and the fine men and women of the Austin police association as well. I'm here

to urge you guys to vote yes in reestablishing our soft base stipend for police officers. The stipend is very important to us and it's a significant role with our everyday lives. It takes a huge impact in our monthly income that we receive, but it also encourages civilians, members, to join the ranks of Austin police department, encourages us to work harder, and it also encourages us to build a career within Austin police department. Also allows us to pursue more educational training and schooling. Also, the stipends are special skills that aren't necessarily the most desirable within the department, but roles that have to be taken from officers. Many of our young officers, like myself, have lost a significant amount of monthly income. This has a huge impact on our family time. Like myself, I have to work extra now to supplement the money that I've lost, which is approximately \$850 a month. Like myself, I pride myself in being a family man, so I now have less time to spend with my wife and my 14 month old daughter. I'm also part of the bargaining team so I look forward to getting back to the table and working with you guys, coming together so we can have a contract that we can all support.

[2:47:13 PM]

I thank you for your time. God bless each one of you. Thank you.

>> Mayor Adler: Thank you. Thank you for your service.

>> Mayor?

>> Mayor Adler: Yes.

>> May I ask a question.

>> Mayor Adler: Ms. Houston.

>> Houston: You used the term soft base pay -- what did you say?

>> So our stipend pay is also known as soft pay.

>> Houston: Soft pay. Could you tell me which particular soft bays you're talking about -- pays or are you talking about all of them?

>> On my end I'm losing out on bilingual pay. I'm also losing out on my college degree. I'm losing on my evening differential, night definitely working nighttime, and also the mental health officer, which is approximately \$850.

>> And you're a certified mental health officer?

>> Yes, ma'am.

>> Houston: Thank you so much for your service.

>> Thank you.

>> Mayor Adler: Mr. Cassidy? On deck here will be Rick Randall. Sir.

>> Good afternoon, mayor, council and city manager cronk. I'd like to start off by saying that the Austin police association is very appreciative of the council for taking up this issue, the pay stipends, and that the Apa is looking forward to getting back to bargaining here in the next few months. Today I'd like the council to consider not only pay stipends that are listed -- excuse me, listed under agenda item 54, but also consider council member Garza's and pool's amendment to include all pay stipends, which include longevity, fto pay and clothing allowances. These stipends are an important part of a police officer's pay, especially the younger officers who have just been here one to five years. These officers take extra responsibilities that other officers don't have. For example, field training officers take a huge amount of responsibility and liability when training our new officers. When our young officers mess up, they hold the ftos feet to the fire and they're responsible for the training of that officer.

[2:49:15 PM]

Mental health officers are charged with taking care of our community members who are suffering from all types of psychological issues. I was honored to take on this challenge when I was a young officer in south Austin many years ago. I can I can tell you that these jobs take a very special officer to deal with the difficulties of handling these types of mental health calls. Our mhos deserve every sent they get that's extra on top of their base pay. Longevity pay is another one of the stipends I'd strongly consider you -- or strongly consider you guys to take into consideration. The stipend recognizes our officers for the years of service in a job where they sustain horrible amounts of mental trauma and sometimes physical trauma. I'm honored to work with two officers every day that have been shot in the line of duty here in Austin in the past two years. It took so much courage for them to come back to work after being shot and being able to put that uniform back on. Just a few weeks ago I was working with some of our officers who recently dealt with a child that her entire family was killed in a car accident. I believe -- in I believe Ms. Alter's district. These officers sustained an unbearable amount of psychological trauma and will likely suffer from PTSD for the rest of their lives. These officers deserve the best the city can provide. Thank you for your time.

>> Mayor Adler, council members, manager cronk, good afternoon. I am Rick Randall and as many of you may remember from your inauguration I'm the senior chaplain with the Austin police department. It's been my privilege to serve the men and women of APD for more than 18 years. They are without a doubt the most honorable and dedicated group of people I have ever worked with. I'm here today to urge you to approve and restore some of the so-called soft pay items that have been lost due to a lack of contract. As I will explain these issues have a disproportionate impact on our newest and therefore lowest paid officers, but if I may I'd first like to give you a few facts to consider in your thinking when it comes to what these men and women do every day.

[2:51:26 PM]

You're all aware that law enforcement is a difficult job. People call 911 when they are experiencing some of the worst moments of their lives, and that means our officers see and experience things that most of us can be thankful we don't have to deal with. Whether it is arresting a father who is sexually assaulted to death his 7 month old, cutting down a 13-year-old suicide victim or working the scene of a mangled fatality caused by a drunk driver. These are all part of a day's work. And what's the result of doing this for an entire career? Police officers have the highest incidence of diabetes, hypertension and heart disease of any profession in the country. They have a divorce rate of nearly 80%. They have a 300% greater chance of having a problem with alcohol than the average person in our population. They have a suicide rate that is 4th or 5th of professions in the nation. I myself have conducted funeral services for five APD officers who have taken their own lives. If they make it to retirement they have a life expectancy that's 15 years less than you or I. And still they do the job. They keep this city safe enough so that we can talk about the quality of life in Austin, Texas, and they deserve our thanks and our consideration. As I mentioned earlier, it's our newest officers that are most impacted by these decisions. They are generally the ones working evenings and nights so the shift differential is very important and significant for them, and they are the ones who need the best training that we can give them, which means fair compensation for our field training officers is important. One of our newest officers just had a baby four months ago. It's his second child. His wife stays at home with their babies. They live in Austin. The plan was this officer would be able to spend some extended time helping get settled in with the newborn.

[2:53:28 PM]

That plan was shattered when the shift differential went away and this officer found himself needing to work overtime in order to make up the difference. Now, unable to take the time off they had planned for, struggling to make his budget needs every month, there are multiple added stressors on an already stressed household. I urge you to remember this officer and the more than 1900 others who serve at his side. And I urge you to give them a reason to have hope in the process by restoring these items. Thank you for your time and attention.

>> Mayor Adler: Chas Moore? You have donated time from Samantha robeless. Is she here? No? What about David king?

>> Right here.

>> Mayor Adler: Okay. You have five minutes, Mr. Moore.

>> Happy black panther day. First, nice to meet the new city manager cronk. Looking forward to working with you. Today -- I signed up twice and you might see a no and a neutral but I'm neutral. In regards to item 53, and I wore my basic man sweater for a reason. In December of last year we talked about saving up and freeing up some money so we can actually apply money to other areas of public safety, whether it be DNA lab or forensics or some of the other things that community members had concern about. Yet here we are. And, you know, my position as the founder of the Austin justice coalition is somebody who has worked with the Austin police department, I think chief Manley and I have pretty much said it best in the last couple months that we do work well together. On this particular issue we have a professional



grement, but even with that -- disagreement. But even one of disagreement I have to lose past the badge and uniform and look at the people who occupy the yums who are the people who protect our streets.

[2:55:36 PM]

I'm not fully opposed but I have to say I think some of this money can be put to better and other forms of public safety. I'm not opposed to this money going back to ensure that the cops that are doing -- our peace officers that are doing the job but are happy in their job. However, I do want to challenge one thing that sticks out to me in the pay stipends they want back as the court time. As an officer if you have to give somebody a ticket and take them to court, I think that falls in the guidelines of work. I'm all for bilingual pay. I'm all for the differential pay. I'm for it slightly, but some things like the court pay where they get paid four times and have overtime for doing something that is essentially part of the job is something that I can't fully grasp and understand. And when it comes to 54, I would really like some clarification on that because if it's reading that city council is going to reinstate the old contract, that is something that I am against, but if 54 is just stating that we're going to go back to the table and we would like the city and the union to come up with a new contract, I'm for that, and I just want to reiterate that a-j-c along with our community groups and community members we still have the list of eight recommendations that hopefully this time around that the council will be more engaged with these negotiation meetings and we hope that these eight recommendations that are very practical and pragmatic are at least part of a serious conversation moving forward with the union and with the city negotiating. And, you know, I would -- I would be remiss not to add this on the record. I would even like to maybe propose that maybe we can have a community stakeholder process as a part of the negotiation -- part of the negotiations, so that way we don't -- the community doesn't have to sit here and use the city negotiators as a liaison. We could just be at the table with both the city and the union. So that's just -- that's my stance.

>> Mayor Adler: Thank you very much.

>> All right.

>> Mayor Adler: Thank you.

[2:57:38 PM]

Is Cathy Mitchell here? And what about Robert Schneider on deck?

>> Excuse me, mayor.

>> Mayor Adler: And Kathy Mitchell?

>> Can I just ask a question. Whose amendment was this one that says 54 at the top?

>> Mayor Adler: I think that was council member Garza's. Amendment 54. Mr. Mitchell, you have time donated from Roy Whaley. Is Roy here?

>> The Austin regional group of the Sierra group is represented here today. Thank you, sir.

>> Mayor Adler: At ease, at ease, officer. Ms. Mitchell? You have five minutes.

[Laughter]

>> So I wanted to preface this by saying that I am neutral on the items as I read them. I am a little disturbed that the package that I thought was sort of an understood, you know, middle ground might be moved to something larger, so if I have time at the end I'll maybe come back to that. But I wanted to highlight one item in my comments today, and really the goal is to show how important it is that we actually look at this stuff. As we all know, the criminal justice system is rife with incentives that have taken together helped bring us an era in which crime is as an all-time low but the intrusion of the criminal justice system into the lives of ordinary people is at all time highs. We all know the big disconnects. Police can make arrests on minor charges because the city and the officer don't pay for the cost of the jail of that person. That cost is shifted to the county. Magistrates can send somebody for prison for a third strike theft no matter how small because that cost is shifted to the state. Across our system none of the costs at any stage are borne by the people making those decisions. But that's the big picture.

[2:59:40 PM]

And we're starting to look at that picture more carefully as a state and as a local jurisdiction. But we also need to pay attention to the small incentives. A recent Texas a recent case highlights Austin's very generous court time benefit. I want to read you a quote from that case. Now remember, this is Houston. It is common knowledge among lawyers in Harris county who regularly handle dwi cases that during Lindsey's -- on the dwi task force he arrested affluent people regardless of how well they performed the test so he could obtain overtime pay for appearing in court pursuant to a subpoena to testify at their trials. Competent defense lawyers made public information act requests to obtain payroll records before they tried dwi cases because they knew he would go to trial and receive overtime pay for appearing in court to testify. That for this reason he gave no driver the benefit of the doubt on the scene, that in effect he received three days of pay for appearing at a two-day trial, that he received the money even if the defendant were acquitted. Houston's court time benefit is not as generous as ours. Why in the world do we have a benefit or why are we even describing it as a benefit when it is an incentive for officers to be in court? Why would officers need an incentive to be in court? Officers are doing that as part of their job. Creating this kind of an incentive can and for some officers create misconduct. When we have a systemic problem, we need to address it with a systemic solution.

[3:01:42 PM]

We need to stop framing this one as a benefits issue and start looking at it as part of our wrong incentive system. We already know that Travis county is among those who have too many arrests on minor charges. Do we know whether arrests on class Cs are disproportionately made by officers collecting court time? Do we know case dismissal rates? Are there officers going to court routinely and their cases are dismissed? How long has it been since we audited this particular process? This is not a problem that's unique to Houston. This is a problem that's occurred and emerged all over the country. In Chicago in 2016, ten officers were identified as earning significant overtime and in one of them, and this was just from a news story, was due to the extension of his shift resulting from arrests that took place near the time he was due to clock out and the court appearances which always resulted in additional overtime. This has been happening in Boston and it's been happening for a long time. This is a known problem with this benefit. This goes all the way back to one of the earlier ones I found was Miami in 1997 whether it was the callers for dollars scandal. Abuses have been identified more recently in Worcester, Massachusetts, Montgomery county, Maryland and many other places. Instead of just reupping something because we've always done it that way --

[buzzer sounding] In this particular case I ask that we take a closer look. Thank you.

>> Mayor Adler: Thank you. After Ms. Snyder, the next speaker will be Chris Harris. Is he here? Mr. Harris. Okay.

>> I agree with what Kathy Mitchell said. You know, Apa voted 85% in support of the proposed contract that came before you in December that you rejected unanimously.

[3:03:50 PM]

And then 92% of the Apa officers voted to walk away from the negotiations. An even greater -- percentage.

>> Mayor Adler: Please, please.

>> -- One the ones that wanted the contract. So Apa could have those benefits today if they did not walk away from the negotiations. That old contract would be in effect. Instead they walked away from the negotiations. And now they want all those pay -back.

-- Pays back. You are losing leverage and betraying those of us who came before you to demand accountability because now you are voting for benefits with no accountability provisions. That's not what we wanted when we were here for hours in December. Unfortunately not all the police live up to our standards. And we don't -- because there's no transparency or not enough transparency, we don't know how bion king incidents there are in this community. So I urge you to go back to the drawing boards, let's look at the best practices for accountability and transparency and true public safety before rewarding Apa for walking away from the negotiations that they could have been in all this time since December. You're losing your leverage and you are undercutting the community support for accountability and transparency.

[Applause]

>> Mayor Adler: The next speaker is Chris Harris. You have donated time from Shane Johnson. And Jana Simms. Jana here? You have -- thank you, you have seven minutes, Mr. Harris.

[3:05:53 PM]

After Mr. Harris the next speaker is Richard Franklin. Is he here? Is Matthew --

>> [Inaudible]

>> Mayor Adler: I'm sorry? Oh, there you are.

>> Are we separating the two?

>> Mayor Adler: It's speaking both on 53 and 54.

>> Thank you, mayor, council, city manager cronk, city council. Three weeks ago Brian Richter, the officer that brutalized me on king was finally fired after another brutal arrest and nine violence filled years on the police force when you look at his file. The next day a film about the incident was nominated for an Oscar. Austin police brutality and racism will literally be on the world stage during this year's academy awards. And unfortunately it's not the focus of this body. Somehow the focus of this body is on returning perks to the police department, 92% of which voted to walk away from those perks. 70% of which don't live in Austin. 50% of which didn't see anything wrong with the king assault according to king Cassidy. This is a force that still employs Patrick Spradley, the officer who made blatantly racist marks to king in the back of the vehicle. Instead of restoring perks, they walked away from, they ask that you restore the oversight that was also lost when the police left the negotiation table and killed their own contract. Better yet, you should look to ways to strengthen that oversight. An oversight regime that even the old crp members said happened largely in silence. Instead of throwing over \$2 million in perks to the highest paid police in the state, why not restore our crime lab?

[3:08:00 PM]

Why not expedite testing of the ridiculous backlog of rape kits? Why not beef up victim services? Why not provide a bed to a person on the street tonight so you don't have to send a police officer to arrest them? Why not provide a social worker to a person with a mental health issue so they don't become the next Richard Monroe or the next David Joseph? We don't need a new contract. We need police accountability, transparency and oversight. We must end the degrading trade of police pay and perks for oversight and transparency and accountability. There should be no price paid to the police to end their violence against us. Ensuring police are disciplined when they trauma ties and kill people in this community is your responsibility, not the city negotiator's. The city shouldn't return -- rush to return to the bargaining table until it understands what it can accomplish under state law. In terms of strength and oversight and accountability. You shouldn't rush to return to the table when we have a brand new city manager. I understand that you all are under a lot of pressure. People that don't understand the

series of events that have led us to this moment are mischaracterizing how we got here. They are mischaracterizing you and they are mischaracterizing the amazing achievement that was December 13, 2017. We still hold out hope for the promise of that night. The promise that you all will reimagine public safety. The promise that we will look to ways to reduce public safety issues that result in the need for police before they are called so that we reduce instances that turn into traumatic events.

[3:10:10 PM]

We still hold out hope that you all will take advantage of this opportunity that you've been given to make this the most transparent and accountable police force in the country. Thank you so much for your time.

>> Mayor Adler: Thank you.

[Applause] After Mr. Franklin speaks, the next speaker will be Matthew nonriler. Is he here? Mr. Franklin, you are up next. Either side.

>> Mayor, I'm passing out -- that was the amendment so you can throw away your 54 sheet.

>> Somebody left their bag.

>> Mayor Adler: Mr. Franklin is up first. You will speak first and then on deck Mr. Nonwhileer.

>> Good afternoon. I'm of the mind set we talked about community policing within the context of what we're doing here and the budget. When you start passing out the money the next time around and with the negotiations I'm sure we're eventually going to come to some kind of agreement, but I would like to have some thought processes as you look at how you spend money to make sure we have a safer, more secure, more prosperous community. Ten years ago I went to chief Acevedo and told him I was hoping you could have the beat officers read to our kids when they were three, four, five years old in the pre-cares and schools so they could be part of the community as opposed to occupying forces. I was sent to the process and nothing ever came of it. I would like to be considered part of the process what we're talking about now. Police officers on the beat need to be part of the community actually doing something -- and I looked at the wrong term process of saying that was ten years ago. Those three, four, five-year-olds now would now be 13, 14, 15 and those same officers would be talking to kids that now know them, they are part of the community and so are the kids.

[3:12:18 PM]

And then you see me differently. At the same time -- I'm from Detroit. We had a situation in Detroit where reverend Sampson, who is now death, pastor, big giant church, had a situation where unless there was deadly force being used or something, the community itself took people in. And this goes to community policing, community taking care of itself. That the police would call somebody whether it be a spiritual home or community organization and it was their responsibility to take that person under

their wing that night to make sure they got the help they were supposed to have regardless, mental health issues, domestic violence, whatever, and the community takes responsibility for that person so that one thing they are aware that that person is in their community and they need help. Also the fact that we take responsibility for our own. These are the kinds of things we need to look at, and if you are talking about city funding, those are kind of things city needs to look at with respect to changing the way we police ourselves. We look at community taking care of itself and therefore we're not being occupied by a police force, they are part of the community, but we're taking care of ourselves first. That's all I got to say. Thank you.

>> Mayor Adler: Thank you.

[Applause] After Mr. Nonwhiler, then Natosha Taylor, you will be up next.

>> Good afternoon, Matthew nonwhiler, with the Austin police department, have been since December 2014. Prior to that I was a member of the United States army for seven years. And I tell you that because my military experience taught me how to accomplish missions, which is just another fancy way of saying solving problems. And the problem that the city of Austin has right now is that its police force is operating under government code chapter 143. Why is this a problem? Because it does not afford the police department the ability to tailor resources to needs and demands of the community.

[3:14:27 PM]

What is the solution? The solution is not allocating blame. That does not progress any substantive solution. The solution is going back to the negotiation table. And the Austin police union has already reassembled its team and made known to the city of Austin their intent to do that. Councilmembers, you have an opportunity today, you can send the message by reinstating the officers soft pay, which has already been budgeted for, allocated, you do not have to take it from anywhere else in the budget, and you can say we will give it to the officers, not for an indefinite period, for maybe to the end of the fiscal year. Maybe while negotiations occur. Maybe on an interim basis, depending on progress of contract negotiations. And what that will show is that you have a vested interest in public safety, in your officers. Because under 143, your officers have lost a lot of stipend pay. Personally I'm losing \$300 a month. That's okay, I can weather that. But there are some officers losing upwards of a thousand and they can't weather that. I think another officer will speak later on that. So if you extend this olive branch and say through no fault of the officers we're going to give them their money back for a temporary period while we negotiate, you are sending the message to your officers the very same officers that you are going to have to renegotiate with contract with, the only process by which a substantive solution will come about that we respect you and we -- we actually care about public safety. You'll be sending that same message to the business community. And I fear that if you don't do that, you will be handicapping the only process by which a long-term solution will come before it even begins.

[3:16:38 PM]

>> Mayor Adler: Thank you. The next speaker on deck will be Suzanna Sanchez. Is Ms. Sanchez here? Okay, you will be on deck. Ma'am.

>> Hi, everybody. Today when I came forward I tried to think of all the cases that have happened on how coming forward and saying that public safety is the issue, there needs to be a definition of what public safety is. Public safety includes actually having things that are effective. It's just not enough to give lip service to the idea that more money, more police officers automatically equate to more public service. I don't like terms like refund, and this sort of idea that an individual deserves something or something is to be given without returning services in a way that your community is coming forward saying it's not working for us, everyone says that America we're capitalists and freedom. I think that even the APD and our organization needs to be accountable. Customer service is important and we're definitely saying that. We're not happy with the services. Anyway, I thought I'd talk from my own experience with my own place of lived experience instead of telling somebody else's story. I'm a certified peer specialist. That means I'm a person with lived experience that works on a team with our clinicians to try to address the issues that we're having with mental health, lack of capacity and a better way to help people to get well. I've been in a situation where I've been in crisis and I had to work with a police officer coming and showing up. And what I was realizing the idea if we have more members on the team for mental health, more officers out there and more money, people thought that was going to be a solution.

[3:18:43 PM]

And that solution indicates that's what public safety is. It did not. When I was in that situation, I have police officers show up when I was in a state of crisis, I wasn't dangerous but there was a certain protocol this is what we do, we've gotten all these officers the solution was more officers and it's not. I'm so angry my life was affected because people are getting rewarded for things on face value. It's not that I think police officers or anybody that works in public safety doesn't deserve to be compensated and to have insurance. But it's not fair to keep throwing money into something that's ineffective and not listening to my voice. The community that I represent with other people that lived experience with mental health issues were talking and nobody is listening to our voice. So it's not so much that I'm against the police. Dissent doesn't mean that I don't believe that they shouldn't have a place and pay is important. I am saying that there needs to be an incentive to make people change the way they are doing things. It needs to be reconstructed. And it is not going to come from simply expanding and giving money, offering a contract that's not genuinely negotiated.

[Buzzer sounding] Thank you.

>> Mayor Adler: Thank you.

[Applause] Is Trey Salinas here?

>> Yes.

>> Mayor Adler: You'll have five minutes. And then on deck is Trey Kent. You'll be up next.

>> Good afternoon, council. Thank you for placing these specific items on your list. My name is Suzanna Sanchez and I'm a three-year police officer at Austin APD. I was asked to speak on behalf of evening and night shift officers about having all of their soft pay incentives reinstated. Let me tell you about myself. I graduated from U.T. Austin with honors in the field of international relations and business administration.

[3:20:48 PM]

During this time I also worked faithfully as an intern at the federal bureau of investigation and upon graduating was offered two jobs at the FBI as well as other jobs with intelligence agencies. Working in the U.S. Intelligence community was my dream for a long time and turning down those positions was one of the hardest decisions I've ever made. But it was well worth it because I believe that at APD I could help protect the city that had given me so much as a student and at the same time my skills and education would be appreciated. Like many officers whose backgrounds are not exclusively military, I believe that Austin pd was a Progressive organization that looked to foster a police body representative of its population. So I made my choice turning down a quick path into a U.S. Government career and choosing to don a uniform and patrol a city I have come to love. Similar to mind are stories of individuals whose lives have taken them on a path of police work after becoming proficient in traditionally well paid careers. These include doctors, engineers, artists, business professionals. All people who serve alongside U.S. Veterans. We believe and serve proudly and we think that there is no price that one can place on the satisfaction we get from being the protectors of abused children, trafficked teenagers and victims of violent crimes. Even as the cost of our own mental health, morale and lives as demonstrated by the past seven line of duty deaths in this country in the past ten days. However Austin is not the only place that a person with our particular calling can do this job. Incentives that drove people to apply here in the thousands are now lacking and affecting both recruiting and existing officers in their personal lives as well as their work lives. The end result is that the city as a whole is feeling the pressure.

[3:22:49 PM]

Evening and night shift officers in particular are suffering from a shortage of almost \$1,000 a month depending on how many skills they are individually qualified for. Personally I am short over \$500 which is my monthly student loan payment. I have spoken with officers from all sectors of the city about how losing their soft pay has impacted them. Imagine yourself in these scenarios. Backing out of closing on your new home six months after starting to build it. Having to work 13 days straight without a break because you can no longer afford a mortgage payment you used to afford for five years. Being unable to afford your elderly mother's test for citizenship. Losing incentive I've pay is having to readjust budget and priorities and accepting we come to work more tired and demoralized than we have ever. At a time we cannot afford to do these things because the call load is way too high, as are the demands of new officers that need training. Losing our contract and soft pay is yet another blow to the law enforcement profession is already struggling to recruit qualified and motivated individuals. The city of Austin strives



to be the most livable city in the country, but how can we deliver on this promise when our officers are struggling to make ends meet and morale is so low that firefighters and paramedics joke at least we are now all on the same boat. If the city council wants to keep attracting investors and community shareholders, then Austin must remain the most livable city in the country. And to do this we require a professional and qualified police force. Austin needs applicants that are the best of the best and who will become police officers that are motivated to be the backbone of police work and that is being patrol officers, as patrolmen and patrol women. I would like to remind council that even though this is a government body, one of the most basic principles of effective business leadership still applies.

[3:24:57 PM]

And that is that an organization's most valuable assets will always be its employees. Taking care of your employees drives up efficiency and production spurring innovation and paving the way for progress which I think we are all hoping for. Thank you for your time.

>> Mayor Adler: Thank you.

[Applause] Arch -- arch Mr. Kent, greener.

>> Trey Kent, I pastor and have been pastoring 25 years and councilmember Flannigan came to our church some years ago when chief Acevedo was there. We've had a rich history of involvement with Austin police department, and incredibly positive ways. We've also been before this council, and I lead a group of 70 churches in the Austin area called the unceasing prayer movement where churches pray for the welfare and blessing of the city. This city has been covered in 24/7 prayer for ten straight years, night and day the city is being prayed for. I'm here representing not only me but many in our churches and pastors who have seen the great blessing of working with APD. Austin police department has trained pastors and I'm one of them to help build a safe environment for our worship area. I know you know through Sutherland springs and things going on in Florida this is serious business. We need a first class trustworthy police department that can help us build and APD has sent officers and members to our church to walk through our building to help us build a safe worship environment. And this is the kind of relationship we've had for 25 straight years, been pastoring in the northwest area. I can't tell you how many vomit I've had with APD -- involvement with APD, people who are drunk, homeless, abused and needing help and I had to get involved.

[3:27:05 PM]

Every single incident has been positive. Recently we had a man sent up in our service and kind of went crazy in the middle of our service. We couldn't sustain him, he had to get him outside. APD came and they were absolutely incredible at dealing with this man, defusing the situation and helping us figure out how to build a safe work environment. So I want to encourage you as a pastor in this city that our involvement -- I mean our experience with APD has been amazingly positive and I believe as a pastor we

ought to reward and take care of our first responders and our officers in the highest way. Austin is an incredible city and I want to thank you for what you're doing to build this city. But we've got to do the right thing with our officers. We can't -- to attract the best, we have to provide the best pay. We all know that many that are in the front lines are underpaid and we ought to be the best paid city in America for officers. And I want to encourage you, we have an amazing police force. That's from my experience and for 25 years in this city. I want to thank you for what you're doing, I want to thank you, I know you are going to do the right thing in taking care of our officers and I want to thank you in advance. Thank you.

>> Mayor Adler: Thank you.

[Applause]

>> Good afternoon and thank you all for your service. I'm just a concerned citizen and a businessman.

>> Mayor Adler: State your name, please.

>> I'm mark Greiner. I just wanted to come out in support of our police force and for them to be well paid. You know, they are not perfect as an organization because they are made up of human beings, but I believe they are doing a great job for our city. I believe police chief Manley is doing a great job for our city and I think the stipends should be restored. I don't know a whole lot about the long-term contract and the issues there, but I know you guys will look at that carefully and I'm all for transparency and making sure all interests are heard but, you know, I think about the men and women that put on bullet-proof vests every day to go out to do their job.

[3:29:22 PM]

I'm in real estate, thank goodness I don't have to do that to do my job, but it just occurs to me that they need our support. It's a very important public safety and the future and our business community going forward that the force be there and I just wanted to show my support and to ask you to restore those stipends and just work towards a good long-term, fair contract for them. So thank you.

>> Mayor Adler: Thank you.

[Applause]

>> Abraham Perez here? Is Abraham Perez here? You're up. Come on. And on deck will be Deborah lamu. Mr. Perez.

>> Yes, mayor, city council, I'm pleased to be here. Abraham Perez, pastor for Austin reconciliation church for the last 23 years. I also served as president for the Austin Latin ministry alliance. And my experience as a pastor, as a resident here in Austin, I've been here for over 41 years and I've seen a lot, you know, growth and change in our city. I've also had the opportunity to establish relationship with APD, previous with chief Acevedo and also now with chief Manley. As hispanic community, we have faced many challenges. One of them would be the sb4, the law that was -- the bill that was passed, and that law, of course, created so much fear and so much insecurity in our immigrant community that I

remember when calling on APD, calling chief Manley to come and testify in congress, they were there to support all the community, the Austin community, especially the immigrant community.

[3:31:25 PM]

I remember other occasions where we have a meeting once a month, we bring pastors from all over the city to meet and fellowship once a month, and I remember talking to some of the pastors that were experiencing -- their members and congregations that were full of fear, community was fearless to report crime or to do any other thing that may cause the immigration to come and deport them or anything like that. For us to have a safe community and so have a secure community, I remember reaching out to chief Manley, which he graciously came to talk to all the pastors, to the leaders in the community to explain the implications of the law and how that impacted the families. And so I could say that APD and especially chief Manley is a man of integrity, is a man that we trust, we trust APD. We can call upon them and I know they are going to respond and take care of the situation. Especially for the immigrant community, that's a great deal that we can trust our police department. And so I just want to thank you for taking this and renegotiation, renegotiating the contract. I urge you and I pray that god will give you the wisdom to come with a solution and that pay will be restored to our police officers. And I just want to thank you for the excellent work you do and I encourage you to do the right thing for our community. May god bless.

>> Mayor Adler: Thank you very much.

[Applause] After police lamu speaks, Rebecca Sanchez. Is she here? What about Paula Rojas?

[3:33:26 PM]

>> [Inaudible].

>> They are here. They are in the hallway.

>> Mayor Adler: Go ahead.

>> Good afternoon. My name is Deborah, I live in district 1, a member of black sovereign nation. I'm wholly opposed to items 53 and 54. Firstly, I want to point out to all of you city councilmembers and mayor and city manager that the shameful behavior to hold this item at an hour, these items at an hour when the community cannot speak on the matter. You were all present in December when Austin came out in droves to oppose meet and confer process, yet you have caved to demands of the highest paid police department in Texas who make 13% more than the national average. Furthermore, your shiftyness of asking austinites not to show up to testify is despicable. Any time you silence our voices and discourage public input you reiterate to us our own power. While we the people may not take up 40% of Austin's budget and while we may not be demanding \$2 million in specialty pay, we know that we are powerful. Bypass ING this resolution, you are all admitting fault for listening to community

members back in December. Be clear that you are all agreeing to direct the city manager, and I quote, to resume contract negotiations with Apa, end quote. This is in direct opposition to the hundreds of your constituents who told you no. No, no more money for murder. No more money for murderouss cops. Be clear you are upholding a process that has not worked for austinities since 1997. Meet and confer has not served to permeate the toxic culture of brutality at APD, Apa, nor has it served to promote accountability, transparency, civilian oversight, it has only resulted in benefits for APD and millions of wasted taxpayer dollars.

[3:35:42 PM]

Be clear that specialty pay did nothing for Morgan Rankin who was shot six times last February by Austin police department. The officer who killed her was called to the scene because she was suicidal and almost one year after her murder officer Rogers has faced no consequences. She was the one that needed mental health services. So where was the special pay then? What did that do for officers? How did that better equip them to deal with Morgan Rankin's mental health episode? It didn't. It led to her death. That's why she's not here to speak today and share my grievance, the grievance of hundreds of people from last December. Lord, for decades elected officials have stripped funds from actual mental health services --

[buzzer sounding]

-- All right. I'm just going to reiterate that members of our community here in Austin by the names of so fee 82 king, Daniel Rocha, David jester and Morgan Rankin aren't here and aren't helped because they were murdered by Austin police and they -- specialty pay did nothing to serve them.

>> Mayor Adler: Thank you.

>> It does nothing to serve hundreds of austinities, millions of austinities day in and day out who live in fear of police.

>> Mayor Adler: Thank you very much. And I apologize for mispronouncing your first name when I called you up. Sanchez and then on deck will be Paula Rojas. She's not here. Rachel manning here? You'll be up next. Go ahead, please.

>> My name is Rebecca Sanchez, member of district 3 and also a member of communities of color united, folks that have been advocating for the budget for a number of years now about what equity looks like in this city.

[3:37:47 PM]

I will read an official statement from them and some things on my own, but I do want to reiterate and remind as Deborah has said that in December the conversation was about fiscal responsibility and I don't know what has changed since then other than these people showing their hand of power, which is

pretty symbolic, that's exactly what we're talking about. Were there more investments into community and health needs? Were there something that we just don't know that has change understand the past couple months that we should remind ourselves of to feel good about this money going in this direction? Not that I'm aware of, but if there are more things, then I would love to hear them. So I'm disheartened also again to reiterate this conversation is happening at 2:30 today. I get it, this is the day everybody comes, try to making a many sacrifices as possible to have these conversations. This is during work hours. The number of people that could have came should this happen later on, and kind of being very strategic about it not happening later on tonight when simultaneously you will vote for the health and livelihood of many austinites while holding this conversation right now, I think it's pretty symbolic of where the priorities are. As communities of color united, a grass roots coalition of people of color of organizations and individuals for racial justice, we state the

following: Since the Austin police association walked away from their most recent contract and chose not to pursue negotiations, a surplus of funds that were originally devoted to police bonuses can now be reinvested across the entire community in the form of low-income housing actually vesting in the city of Austin equity office and Austin -- helping out Austin health and human services. Over the last 30 years of both the national and local levels governments have dramatically increased spend on criminalization, policing and mass incarceration while drastically cutting investments on basic infrastructure and slowing investment in social safety net programs.

[3:40:04 PM]

Austin has followed the same pattern. I will say it is a lot easier, I come from a really small town in Texas. It is a lot easier to have conversations with people in trumplandia because we know where they stand. It is a lot different to have these conversations in this city and what progressiveness looks like for us.

[Buzzer sounding] Austin has followed the same pattern, the choice to resource punitive systems rather than support stabilizing and nourishing ones does not make communities safer. Study after study shows a living wage access to the holistic health services and treatment and stable housing are far more successful in reducing crime than policing is.

>> Mayor Adler: Thank you.

>> Recommendations are aligned with the effort across the country.

>> Mayor Adler: You need to finish.

>> Thanks.

>> Mayor Adler: Thank you. Paula Rojas. And then I'm showing Rachel manning on deck.

>> Good afternoon. Rachel manning. I live in district 1. I was here on the evening of December 13th when 262 Austin residents gathered here to tell you that specialty pay, bonuses and overtime are to be given only when the Austin police department cooperates with the communities of Austin and is accountable and willing to engage in a transparent process. That night was a victory for Austin, for you all who voted unanimously. It was a moment where a city government was embarking on a process of

imagining what it would look like to engage in community accountability. I'm here for that. I organize with premiseston and we're here for that process. I would like to offer the idea homelessness and mental health are not social issues that should be handled by the police.

[3:42:04 PM]

I work in the court system so 100% of my clients have had interactions with APD. So many of these individuals are people who need help but despite their rhetoric APD doesn't really offer help. They offer a night in jail and a court appointed attorney and pre-trial services. That's not help. Between 2013 and 2016, APD was responsible for 13% of the homicides in Austin. They are responsible for the deaths of -- assault on Laura parish and local activists and black and broken folks across Austin. Yet you the elected officials of Austin are acting like you can't do anything about it. Mayor Adler, welcome new city manager, you are all in charge here. City council, you have the power to stand up to special interests right now who are holding a public service hostage so they can continue to act with what looks like impunity. You have the power to demand more and your constituents are asking you to do that. Austinites want a better process for police accountability and you are giving these bargaining chips away if you approve these issues today. And if we can't get one, it will be your fault.

>> Mayor Adler: Thank you. We've had 20 speakers speaker so we're down to one minute a speaker. Is Rachel manning here? I apologize. Is Lisa pythian here?

>> Down to one minute.

>> Mayor Adler: First --

>> So councilmembers, I have one minute. I'm from district 5. I was here on December 13, I'm sad to be here today. The night before Jason Dunn was brutalized by police, tasered, his sister was dying from Brackenridge hospital and because he chose to jaywalk, he was target, brutalized, sole survivors for his sister.

[3:44:21 PM]

When people went out to protest they were met by over a dozen police, police helicopters blocking their way. Who wants to take a leaflet when police are on your back. The police did walk away and now they are here trying to humanize themselves, no more t-shirts, no uniform, bring out religious leaders asking for the money. But in fact where is the money for the programs we need. We need -- you've heard people, people have said it today and my time is short, racism is a problem and people are being targeted. I would like to know how many black members of that congregation -- are we praying for the black community? Because they are the ones impacted by this. You know, instead of like taking your marbles and going home --

[buzzer sounding]

-- They are turning the political screws on all of you. We're asking you to do justice to this community, take the time, look at the community proposals, put a community participants in the negotiation process, let's get an independent real deal here. Let's not cave to the political pressure. Thank you.

>> Mayor Adler: Thank you.

[Applause] Is Brian mcgiveren here? You'll be up. Then on deck is Michael an development Ders.

>> I haven't planned to speak here but I heard a story I wanted to share about a young woman that happened in my neighborhood fewer than 300 feet from my home. He called 911 and said I think my girlfriend needs mental health care. They took the daughter away, ultimately police shot and killed her. There's more to the story, I'm not here to blame the police. I want to impress that upon you in this situation. It was a complicated one. What I do blame is a world in which when a boyfriend calls for help, mental help, care for his girlfriend, his 26-year-old girl, the only resources we have to send to that home are police.

[3:46:27 PM]

I'm confused why you are proposing to make a major budget decision outside the context of the city budget. I was under the impression the city council committed to making major budget decision within the budget. So that you could weigh competing priorities and I worry that this sort of ad hoc budgeting is the reason why the city budget has ended up with a public safety allocation that so far dwarfs everything else.

>> Mayor Adler: Thank you.

[Applause] Mr. Anders.

>> Hello, council. I'm here to talk about item 53.

>> Mayor Adler: 53 --

>> Seems like conversation is drifting all over the place, but I would like to address the issue of stipends. The night and evening shift stipend is meant to compensate people for taking on additional work folks who work 9:00 to 5:00 don't face. Last month I worked sixth street control. Around 4:00 A.M. And four days out of the week I wouldn't see my wife or kids. I would get home and they are asleep, wake up already gone. When we talk about stipends there is a reason they exist. That extra money helps pay for another trip to disneyland or going out on the weekends with our family try to make up for lost time. Same with court overtime. So whenever I'm called in for court 9:00 A.M. On my days off, I've got to get up extra early, drive to Round Rock, drop off my kids with day care --

[buzzer sounding]

-- Drive back into town, go to court early, read my reports, watch videos and then show up for trial on time. When we show up for tile on time and somebody says hey, this case was continued, here's your 15 minutes, that's not necessarily fair.

>> Mayor Adler: Thank you.

>> Thank you.

>> Mayor Adler: Those are all the speakers that we have.

[3:48:28 PM]

Signed up publicly. We're now back up to the dais. Councilmember alter.

>> Alter: Thank you. I would just like to speak to my motion which was to approve item 53 as written. The ordinance that I sponsored along with councilmember Flannigan, councilmember kitchen, councilmember Houston and councilmember troxclair, item 53, is meant to fill an existing gap in pay for our police officers in the short but significant time before return to the table for further negotiations. It provides for the restoration of items that affect a wide number of officers across the force and that have been communicated by Apa to our offices to be of most importance during this time. Two of the items included update existing ordinances which align with ongoing efforts of our police chief and this council to lead a force that is humanely responsive to the diverse needs of our community, these are the mental health and bilingual pay ordinances.

>> Mayor Adler: Okay. Further discussion on the dais? Councilmember Garza.

>> Garza: I want to make an amendment that all the soft pay be reinstated. It's my understanding that would include fto pay as well as -- I forgot what the other one was. That's a question I can ask. The amendment is to restore all the -- all the soft pay.

>> Mayor Adler: There's a motion -- please, please. There's a motion to amend to include all of the stipend as off pay elements. Is there a second to that motion? Mr. Renteria seconds that motion. The discussion is on the amendment. Yes. Mr. Flannigan.

>> Flannigan: I want to make an amendment to councilmember Garza's amendment just to be sure we're talking about the same list. Have I the list and so I want to make sure that I understand which ones you are talking about.

[3:50:35 PM]

The step pay obviously were done administratively so we're not talking about step a. Longevity, terminal covered under state provisions 141 and 143 is my understanding. The proposed ordinance that the co-sponsors put together have mental health, bilingual, education, certificate, shift differential and court time. The thing that's left is clothing allowance.

>> Garza: It's my understanding the longevity is not included in the base motion.

>> Mayor Adler: Can staff come up and help us on this?



>> Good afternoon, mayor and council. Brian Manley, police chief. Specifically with longevity, what state law Texas government code allows for is \$48 per year up to 25 years. What was included in the meet and confer contract was an amount of \$107 per year for 25 years. So what we saw when we fell out of the agreement was a reduction from that \$107 per year to amount of \$48 a year.

>> Garza: For clarification, that's the -- what was allowed in the contract is what I was amending to add.

>> So your amendment for clarity is those provisions that I listed, longevity, field training, terminal, mental health, by link Cal, shift differential and court overtime as defined in the prior meet and confer plus the clothing allowance. That's the difference between the proposed ordinance and your amendment.

>> Garza: Yes.

>> Mayor Adler: Is that correct, is the -- if we current -- or last contract on soft issues, that would be adding then the differential for longevity and field training to go from 48 to 107?

[3:52:37 PM]

>> Yes, mayor, that's one of the items.

>> Mayor Adler: And then the clothing allowance.

>> Yes.

>> Mayor Adler: Is there anything else other than those two things?

>> The other thing would be the field training pay. Currently what officers would receive under government code 143 would be one dollar per hour in which they had a field training responsibility. Under the meet and confer agreement, was a flat \$175 per month. So if you were looking to reimplement that one, it would be returning that one back to \$175 per month versus the dollar per hour that exists in local government code 143.

>> Mayor Adler: Thank you.

>> Thank you.

>> Mayor Adler: So it's those three things, longevity, back up the field training and then the clothing allowance. Those three things are in the amendment.

>> Houston: Could you explain about the terminal pay in chapter 141? The difference.

>> The difference in terminal pay, under chapter 143, you are entitled to 90 days of terminal pay upon separation so that equates to 900 hours since the officers work 10-hour shifts. When we were under a meet and confer agreement, that agreement allowed for officers that left under certain standards to receive up to 1700 hours upon separation.

>> Mayor Adler: So it's four things.

>> But I don't think that's one that has been proposed to be put back in today.

>> Houston: I thought I asked about terminal pay and soft way. I thought all of these things were added.

>> Mayor Adler: What are the three -- are you recommending those three be included, longevity, clothing allowance and field training?

>> Mark Washington, assistant city manager. When chief answered councilmember Houston's question about terminal pay, he was referencing the pay for sick leave upon separation I think is what he was answering.

[3:54:38 PM]

And my understanding is that was not in the current ordinance, current proposal -- excuse me, the original ordinance or the proposed. So that's what the chief was clarifying.

>> Mayor Adler: Am I correct that the effect of councilmember Garza's amendment is longevity pay going from 48 to 107.

>> That's correct.

>> Mayor Adler: The clothing allowance and field training going for the dollar a day to 175 a month. Those are the only three components. Is that correct?

>> That's all I'm aware of.

>> Mayor Adler: Is that correct, Ms. Garza.

>> Houston: Help me remember how much is the clothing allowance?

>> The clothing allowance equates to \$500 a year and there's a group of officers in assignments that are authorized that. That is, if memory serves me right, that is about 400 officers.

>> Mayor Adler: The amendment has been made. Did we get a second? Mr. Renteria seconded. Were you finished, Mr. Flannigan?

>> Flannigan: Yes, I wanted to make sure we were being clear about what the amendment was or if I was Gooding to have to amend to amend. I understand your amendment now.

>> Mayor Adler: The amendment is those three things. Mayor pro tem.

>> Tovo: On Tuesday you talked a little about at least two of the three of these stipends and I wondered if you could just address those again for us. As I interpreted your discussion on Tuesday, you were suggesting that the field -- that you had concerns about -- well, I don't want to put words in your mouth, but what I heard were potentially some concerns about not restoring the field training, what that stands for, field training officer stipend as well as longevity pay. Could you address what the operational challenges would be of regarding those two and then the clothing I want to hear a little more about.

>> Sure. I spoke specifically on the field training officer pay.

[3:56:42 PM]

The field training position in the Austin police department is a critical role. We spent eight months training the new women and men who join our ranks, but then when we put them on the streets they will ride with a field training officer three months. That's when we make sure they can apply everything we've taught them during eight months of training. We want to ensure we are rerouting the best officers to fill the role of a field training officers. Although many officers do that because they really value being a part of developing these new officers, you know, the reality is that the financial component is always an important factor as well. My concern operationally is I don't want to see officers lose their desire to perform this role that is so critical to the success of the department because it's been diminished and not recognized by the way it had been when we were under meet and confer. My concern as expressed the other day was specifically not losing these top quality men and women who fill the ranks of our field training officers so that we ensure that we are training to the best of our abilities.

>> Tovo: Thank you. Do you

>> Tovo: Thank you. Do you have the same operational interns longevity pay and the clothing stipend?

>> Longevity pay I think is appropriate to recognize the value of an officer's experience that they bring to work with them every day. So the operational impact would not be such as it was with field training pay, it's not that they're performing a different duty, but it's a recognition of the value of the experience over their years of service. Specific to the clothing allowance, again, it is a small amount, \$500 per year for those officers that receive it, but these are officers who will routinely work in a plain clothes assignment, mostly our detectives, our investigative division that normally do not report to work in this uniform. So that's why that stipend was included in the meet and confer agreement.

>> Tovo: Thanks for that additional info.

[3:58:45 PM]

>> Mayor Adler: Dais, Mr. Flannigan.

>> Flannigan: So I would like to make an amendment to the amendment, to strike or to only add -- this is my amendment -- to only add the clothing allowance which would have the practical effect of retaining the statute levels of longevity and field training and terminal -- the other elements, all of the other areas which were included in the original ordinance, but just adding clothing allowance.

>> Mayor Adler: Okay. So your amendment to councilmember Garza's amendment is to strike longevity and field training from her amendment. Her amended was to add three things, and you're moving to strike two of the three things she was adding.

>> Flannigan: And I think to be clearer, it's to strike the difference in longevity and field training.

>> Mayor Adler: I understand.

>> Flannigan: Right? And the only -- my amendment is that the only brand new thing is the clothing allowance.

>> Mayor Adler: I understand that. Ms. Garza's amendment was to increase longevity and increase field training and to add the clothing allowance. Your amendment is to strike the two increases for longevity and for field training.

>> Flannigan: Yeah. That's right.

>> Mayor Adler: That's your amendment to the amendment. Is there a second to the amendment to the amendment? Councilmember Kitchen.

>> Kitchen: Could I speak to that, please?

>> Mayor Adler: He gets a chance to speak first if he wants it. Yes, you can speak.

>> Kitchen: I just want to say that I'm seconding it because I think what we're doing by this amendment is really, you know, putting a good faith effort towards including the stipends that affect the most officers, and we're -- and with this amendment, we're covering all the specialty pay items, and so they're covered either dismissal in state statute, in existing city ordinance, or in our proposed ordinance. So the only difference is the increase, and that increase was provided as part of the negotiation.

[4:00:46 PM]

We -- previous councils recognized the importance of the longevity and field training, and that's in place right now, and we're keeping that in place. And previous councils put that dollar amount in those -- in those ordinances. And I think it's appropriate to stay at that, right now, while we go forward with negotiating. So that's why I'm seconding the amendment.

>> Mayor Adler: It's been seconded. I want to divide the question. I want to divide the question because I want to be able to vote to include the field training that our police chief has told us is going to affect the operational element out into the field.

>> Kitchen: You can't do that --

>> Mayor Adler: I can divide the question. Divide the amendment, the amendment is two parts, to drop both of those two things, and I want an individual vote on each. So first we'll vote to describing from the amendment, the longevity pay, and then we'll have a vote to strike from the amendment the field training pay.

>> Kitchen: What about adding the clothing allowance?

>> Mayor Adler: The clothing allowance is not part of the amendment to the amendment. The clothing allowance is part of Ms. Garza's amendment. There hasn't been any effort to strike that. That's still in the base motion. The question is what do we strike from the amendment. Ms. Garza suggested to add

three. Mr. Flannigan is saying it should only add one, which means he's striking two from that, and I'm going to take a vote individually on each of those two, because I want to vote for one and not the other. So, we're going to take up the longevity pay first. Is there any discussion on whether that should be included in the matter before us? Longevity pay.

>> Houston: Mayor, I don't -- I don't have a question about whether it's included, I just have a question about do the officers still get step pay during this process?

>> Mayor Adler: Yes.

[4:02:46 PM]

>> Houston: So this is an add-on if we do the longevity.

>> Mayor Adler: Yes.

>> Houston: Okay. Thanks.

>> Mayor Adler: Councilmember -- mayor pro tem.

>> Tovo: Just need to clarify the vote we're about to take is whether or not -- well, no, the vote we are about to take is whether we would like to remove longevity pay from councilmember Garza's amendment.

>> Mayor Adler: From councilmember Garza's amendment. That is correct.

>> Kitchen: Could I clarify?

>> Mayor Adler: Yes, Ms. Kitchen.

>> Kitchen: I'd like to clarify, the effect of the vote that we're about to take is the difference. It's not to remove longevity pay.

>> Mayor Adler: That's correct.

>> Kitchen: -- It's to remove taking it up to a hundred and --

>> Mayor Adler: \$107 from \$48.

>> Kitchen: So it's in our ordinance at 48, so the vote here is to -- is 48 versus 107. It's not --

>> Mayor Adler: Correct.

>> Kitchen: -- No longevity pay. I just want to be really clear on that. The same thing for field training officer pay. We have field training officer pay in our existing ordinances. We're simply suggesting that it ought to stay at the level that's in the existing ordinances at this point in time, and that if there's going to be any increase, that should be part of the negotiation process, not part of putting it back in place now.

>> Mayor Adler: Any further discussion on the question of deleting the increase in longevity pay? Councilmember alter.

>> Alter: I just want to point out that all of these can be potentially added back once we have a contract. And this is to get us to the point of having an interim or having a contract, and this is for the period in between. And as soon as they agree to a contract, they may or may not get those back, depending on what is agreed in the contract. Just -- this is not talking about forever. We're not negotiating the contract here.

>> Mayor Adler: So to put it into perspective what I was saying, and I'll try to do this quickly, because it addresses some of the questions that other people have raised during discussion, when I took the vote that I took in December, I took that vote because I was uncomfortable deciding the question of the increase in pay in a long-term contract without also deciding questions which I thought were part and parcel of the same discussion.

[4:05:07 PM]

Those things included what measure of oversight and accountability, how we would do those. It also included the question of how many officers we would add if we were going to add officers, a question of whether we would move toward greater community -- community policing, like in matrix support, how to measure success in that question, and also talk about the total number of officers. I voted for that because I couldn't see answering any one of those questions, and there was only one in front of us, without deciding all of those questions. I then went on the message board right after that with the mayor pro tem suggesting that as quickly as we could, we should get back to the current status that we were in, the contract that we had, while we would have a longer conversation in the community about those four elements, five elements, because I think we should set up a process to be able to do that, but I think that while we're waiting to have that longer conversation -- and, manager, I hope you help us set up that larger community conversation of all those elements that I think are interrelated -- while we were doing that, I think it was important for us to make sure that we were sending the message to the community that those things were interrelated questions. We couldn't decide any of those questions or additional funding -- the other element was additional funding for things like health and human services that would act as a public safety expenditure. But we have to consider all those things together. But in the meantime, the goal for me was to try to preserve where we were and do no harm, and not cause any prejudice to -- to anybody in this process while we decided those larger questions. In the negotiations that we had, the police department, I think, negotiated fairly. They were -- in the process, they negotiated to the rules that we set and the fact that the staff recommended a contract to us that was one that we couldn't accept, and postponed unanimously.

[4:07:15 PM]

I think it was a failure of how we set up that system. But I'm trying, for me, to get back to the place where we preserve, in essence, the status quo. In that interim contract, I would see us negotiating all of the pay issues. But I differentiate between those things that I think we should continue right now and those things I would continue right now are those things that impact us operationally, because I wouldn't want, while we're doing these other steps, to fall off those. So when we ask the issue of the chief, he explained real clearly how the clothing allowance in field training would impact operations as they exist in the field right now. The other things seem like pay issues to me, which I hope we get to an interim contract to be able to decide as quickly as we can, if only on an interim basis. That's my perspective, and I understand it's just for a period of time, but for me those two things are operational, which is why I will be voting against the striking of the increase -- I'll be voting in favor of the striking of the increase in longevity and against the striking of the increase in field training. Further conversation on longevity? The question is, do we increase longevity from 48 to 107. Right now, the amendment says 107. The amendment is to pull that back to current status. Yes.

>> And while the amendment is increased because the base motion refers back to 143, this is not -- this is not an increase -- this is what they were getting paid. This is not getting -- giving them more than what they were already getting paid, and it's the same thing we did with ems, trying to put them in an interim position where they're getting the same -- when I hear that people are having a hard time paying for things for their family, I'm very concerned. I know a-thousand-dollar a month hit to my family would help my family.

[4:09:19 PM]

This is not an increase, just putting them back to where they were.

>> Mayor Adler: I understand that. The motion in front of us is to not restate the meet and greet -- meet and confer -- meet and greet --

[laughter] Can't we all get along?

[Laughter] The amendment in front of us is to not reinstate the \$107 longevity that was in the meet and confer contract. Any further discussion? Councilmember pool.

>> Pool: A part of what you said when you were talking about maintaining the level playing field is the part that I think councilmember Garza and I were trying to go for, which was to have there be no -- to put everything back on the table to be considered, that nobody was penalized or jeopardized in any way, so that was the intent and the direction that we were going in.

>> Mayor Adler: I understand. Ready to take a vote? Ms. Houston?

>> Houston: And, councilmember pool and Garza, I appreciate that, but -- I'm not a politician, but it seems to me if they get everything back, what's the incentive to go back and negotiate?

[Applause]

>> Mayor Adler: Are you ready to take a vote? Let's take the vote. Those in favor of removing the reinstatement of the meet and confer up to 107 for longevity, please raise your hand. That is troxclair, kitchen, Houston, me, Mr. Casar, alter, and Flannigan. Those opposed, please raise your hand. It's the balance of the dais; that is now removed. Now we're going to take the vote on reinstating -- on deleting the reinstating of the field training as it was in the meet and confer.

[4:11:25 PM]

Any further discussion? Councilmember kitchen.

>> Kitchen: Just to clarify, that, again, is taking it from --

>> Mayor Adler: A dollar a day to \$175 a month.

>> Kitchen: I thought it was a dollar an hour.

>> Mayor Adler: A dollar an hour?

>> It's one dollar per hour, during which they're using their fto skills.

>> Kitchen: Changing that to when?

>> Back to original, which would be \$175 a month.

>> Kitchen: So a dollar an hour, depending how much time they spend, we don't know -- that gets them close to the hundred and something. Yeah. So we don't know how much difference we're talking about.

>> Correct. If you were to have -- if you were to have four 40-hour weeks in a month, then you're at the 160.

>> Kitchen: Okay. Thank you.

>> Mayor Adler: Okay. Take the vote. Those in favor of deleting the increase on field training to what it was in the meet and confer, please raise your hand. Mr. Flannigan, councilmember alter, Casar, Houston, kitchen, troxclair. Those opposed, please raise your hand? It's the balance of the dais. That is also not then reinstated. Clothing allowance stays reinstated, so now we are back to -- the amendment now is toed is todd in the clothing allowance. Any further discussion? Those in favor of adding in the clothing allowance, please raise your hand. Those opposed? Mayor pro tem -- it is unanimous to add in the clothing allowance. We now have the item number 53 in front of us, which is to add back the things that were stated, plus the clothing allowance.

[4:13:25 PM]

Councilmember pool.



>> Pool: I have one additional amendment that I wanted to make to the expiration date. Would that be appropriate now?

>> Mayor Adler: Problem appropriate now. It would be appropriate now. Item number 53.

>> Pool: So it's part 5, and changing the may 24 date to September 30th, and that would be in a good faith effort to give our staff and the association the time needed to effect a good agreement, and it also would build in time for additional input from our stakeholders in the community.

>> Mayor Adler: There's been a motion to change the effective -- the expiration date from may 24th to September 30th. Is there a second? Councilmember Garza seconds.

>> Pool: And if I can be specific, I'll go ahead and read

the language: The ordinance will automatically expire without further action required by council upon the effective date of a new meet and confer agreement between the city and the Austin police association or on September 30, 2018, whichever occurs first.

>> Mayor Adler: Any further discussion on the amendment? Yes, mayor pro tem.

>> Tovo: Yeah, I'd like to hear from our labor negotiators if they're present. So we had a discussion on Tuesday about how the restoration of the stipends would actually be helpful in terms of the labor negotiations.

[4:15:27 PM]

It's not clear to me how the change of the date factors into this discussion.

>> Mark Washington. I think our intent was to, based on the original -- the expiration date of may, was to meet with the union representatives next week and talk about how much progress we could make prior to the expiration of the ordinance in may. Obviously, giving us more time till September will allow us to come up with more work on the short-term type of arrangement, but we still think that even with it expiring in September, we would need more time for the longer term issues dealing with oversight. So we would do as much as we can to put back the provisions from the expired agreement from 2013 within this interim period, but we certainly would think even -- there's been some discussions that a longer term deal that would require us to put in more -- more provisions on transparency and oversight might take longer than September 3rd.

>> Tovo: I agree. I think it likely will take longer. And I guess I can -- I guess just in reflecting on where we've been in this conversation, I still stand by the post that I worked on with mayor Adler, that we do need an interim agreement, and we're committed -- I'm committed to a longer term process that also incorporates some of those additional transparency elements into the discussion. But I'm concerned about the fact that we would be -- we would be pushing -- I guess I need to hear more discussion about why we would be pushing this back because, to me, it is -- it would have been preferable to extend our existing contract or come up with a shorter period for the proposed contract or something, because now

we're operating without a citizen review panel, and I am not in any -- I'm not at all interested in extending the period of time where we're operating without a citizen review panel.

[4:17:34 PM]

So if those of you making the amendment would talk to me a little bit about, one, whether this is necessary to really extend it, and whether we really -- whether we really want to be in a position of not - - I'm interested in seeing these negotiations conclude as quickly as possible with a successful outcome, understanding that there is both an interim and a longer term process. I think we've got all of the parties -- all of the parties are committed to getting together and working, and so let's have a date that kind of moves that process along, would be my feeling at this point.

>> Mayor Adler: Dr. Washington.

>> Councilmember, I neglected to add, staff feels that if we are making progress in interim discussions and we cannot accomplish it by may, as long as we're making progress in those discussions, we have no problem coming back to the council and asking for whatever additional time that may be needed, if there's progress being made in putting those provisions back in place. So perhaps that could be a compromise.

>> Tovo: Can I just ask him to clarify? So by that compromise then, you would stick with the original date, with the understanding that you would come back to council and ask for more time if necessary?

>> If necessary.

>> Tovo: Okay. Thanks.

>> Mayor Adler: Councilmember Flannigan.

>> Flannigan: So I'm -- I prefer the may decline that's in the existing ordinance because my own intent, just to speak for myself, is that you get an interim agreement. Now, if other amendments had changed and all the pays came back, I might have had a different perspective, but because this, as proposed, is substantively the same as we put on the agenda, I'm wanting an internal agreement, and I want all the parties at the table and my colleagues to consider, and the city manager, to consider that we are directing an interim agreement, and it is not my intention to support continuing to extend these benefits if we can't at least get to some kind of reasonable baseline that restores the reasonable provisions that there's -- on which there's general agreement.

[4:19:56 PM]

>> Mayor Adler: Okay. The amendment in front of us is to extend the time from may to September. Councilmember alter?

>> Alter: Since the -- I sponsored the original ordinance that had may, I just wanted to share with mayor pro tem that I, too, am very concerned about the accountability and transparency piece of this. I'm also concerned about hiring and promotion, and we designed this time with that in mind to speed us along to having an interim agreement that would then get us to the longer term discussion that we need to have, which may take longer, even, than September to get all of the issues resolved.

>> Mayor Adler: Further discussion on the amendment? Councilmember Garza.

>> Garza: The reason I supported the extension, the further date, is because I feel like we may be in the same position as we were with ems, where there was an arbitrary date given, and now staff is in a position to, I believe, bring us back an item to extend that date because you are negotiating in good faith, but you haven't gone to a contract, so now we have to extend that date to keep all ems stipends in place. If staff is willing to make that same staff item, if come may, there's not an agreement, that's fine, but again, this whole idea of negotiating this -- these contracts from the dais is just not appropriate, in my mind. And by setting that date, we're putting this date to stop to bring us back up here to have these -- to have this discussion all over again. And I thought -- I think the better way to do it -- everyone wants an agreement. I want an agreement. I did not vote against the contract in December. I voted to go back to the table. I want an agreement. I want that transparency.

[4:21:58 PM]

I want those flexible hiring and promotions. But, you know, again, it puts us in the position of having this discussion again in may, which is fine; we can have it again. But if we set it to September with the understanding everybody is on the same table, that I can think, that wants -- believes that we should -- there should be a contract with our police officers.

>> Mayor Adler: Councilmember pool.

>> Pool: Yeah, and we've had to -- on the ems contract, that had a specific decline, too, that had to move because the conversations are continuing, but they're not complete. And so it just -- so it's going to be groundhog day, possibly, in may, and we'll have the same conversation over again. And I want there to be a contract. I had hoped there would be a contract in December. I agree that the negotiating on this contract really is the responsibility of the team that has been put together at the direction of the city manager, and I'm uncomfortable negotiating elements of it from here, which is why I supported putting the stipends back in so that they could continue to be a topic for negotiation.

>> Mayor Adler: Councilmember alter.

>> Alter: The date will go the way the date will go, but if we come back again in may and do this all over again, then it will have been more of our time spent when it wouldn't have to be.

>> Mayor Adler: Councilmember alter?

>> Alter: I just want to do add to my response to mayor pro tem tovo, my staff spoke to Apa and they were comfortable with the may deadline at the time that we spoke with them.

>> Mayor Adler: Okay. Further discussion on the motion to move from may to September?  
Councilmember Houston, then councilmember troxclair.

>> Houston: Mayor, I don't think anybody thinks that there will be a contract by may, but this is a good faith effort to move toward a contract with the may date.

[4:24:02 PM]

>> Mayor Adler: Okay. Ms. Troxclair.

>> Troxclair: Yeah, I'm going to stick with the may date because, I mean we're just talking about an interim contract. If we don't even have an interim contract until September, we're definitely not going to have a long-term contract until well after that. So, I mean, I think that we need to get the interim contract done as quickly as possible so we can focus on what the long-term contract is going to be. So I hope that by may 24th, we can have something that we can move forward. We won't be having this same conversation again.

>> Mayor Adler: Ready to take a vote? Ms. Kitchen?

>> Kitchen: I just wanted to say that I agree, I'm going to stick with the may, because we need to move as quickly as possible for an interim, we need to take into account getting the hiring, in particular, back in place, and our staff has let us know that if, for some reason, this doesn't work, they'll be able to come back to us. But I think everybody that's involved wants to shoot for that may timeline, so I don't see any reason to change that.

>> Mayor Adler: Chief, did you want to say something?

>> Just one thing, if you can make this effective on February 18th, if you choose to vote this, that way, for payroll purposes, it starts at the beginning of a pay week and it will make it much less of an administrative issue to reimplement these.

>> Mayor Adler: Got you. We'll do that. Any objection? I'll take that out of turn. Any objection to adding effective February 18th for those stipends if we put that back in?

>> Alter: I think we asked for that date and for some reason it never got on this so we're totally fine with it.

>> Mayor Adler: Any objection in that date is added. We're continuing in the debate on moving from may to September. Any further discussion on that? Councilmember pool.

>> Pool: Since we're talking about may to -- may and September relationships, I think reading the dais, my motion will fail, so I will spare everybody the vote, and I will pull it down.

>> Mayor Adler: Okay. Is there any objection to the amendment being withdrawn?

[4:26:05 PM]

Hearing none, the amendment is withdrawn. We're now back to the base motion, which is as filed with the exception of clothing allowance has been added. Any further discussion on that? Ready to take a vote? This is the main motion now on 53.

>> Casar: I'm just going to state for my vote that I share some of the concerns about court pay, and have some concerns around us going back into negotiation with some of the issues outstanding around people saying that they might sue on the police monitor and other issues of that sort, so that's where I'm coming from. I'm supportive of the mental health pay, of the bilingual pay, and some of the other parts of this ordinance.

>> Mayor Adler: Okay. Ready to take a vote? Let's see what the vote is. If it is going to affect on February 18th, then it needs to pass with eight votes, because that would make it an emergency. So is there --

>> I think you're passing it for health and safety reasons so you need to declare an emergency to pass it so it goes into effect on February 18th. You need eight votes.

>> Mayor Adler: Okay. Do we need to amend that, or is it just guided by the number of people who vote, since the health and safety situation --

>> I'm trying to create a record right now that you're doing this for emergency purposes so it can go into effect on February 18th.

>> Mayor Adler: Sounds good. It's part of the motion. Those in favor of the of the motion, please raise your hand. Those opposed? Mr. Casar voting no, the others voting aye. Item 53 passes with more than eight votes. That gets us to item number 54. Someone want to move item 54? Do we need item 54?

>> Manager, do you think you need item 54?

[4:28:05 PM]

I can withdraw it if you don't -- it was originally combined as we discussed in work session, and to communicate what was going on as part of the ordinance, but if you feel like you have the direction you need, then we can withdraw it.

>> It's clear that I have the direction, so I agree that I don't think it's needed.

>> Alter: Okay. So unless my co-sponsors have objections, then I will withdraw item 54.

>> Mayor Adler: Okay. Any objection? Item number 54 is withdrawn. All right. Let's do the champion matter. So I'm now going to call up item number 13. Item number 13, staff, come up to the dais, please.

>> Good afternoon, mayor, city council. Chuck Lesniak, city environmental officer. I don't really have a briefing or anything for you. We posted a very slightly revised version of the presentation that I gave you at the last council meeting, just corrected a couple minor errors that's been shared with the neighbors and wanted to share that with you. Since the last meeting, we did meet with -- or I did meet with the

neighbors and they had some questions about the information that was included in my last presentation, and with that, I'll answer any questions and give it back to y'all.

>> Mayor Adler: Thank you. Councilmembers, is there a motion to approve item number 13?

>> Are there speakers?

>> Mayor Adler: We'll get to speakers in a second. Councilmember Garza makes the motion. Is there a second to that? Councilmember Renteria seconds that.

>> I'd like to make a substitute motion to deny it.

>> Mayor Adler: You just vote no. The motion number 13 is in front of us. Let's see if there's public -- an amendment that serves the purpose of being exactly the same thing as a no vote is not a proper amendment.

[4:30:12 PM]

So a vote -- a substitute motion to say no is a vote to say no. Item must be 13, let's see if there's public here that wants to speak to it. There are ten people that are signed up. The first person to speak to it is Carol Lee. Is Ms. Lee here?

>> Yes.

>> Mayor Adler: Come on down. Is Bobby levinski here? Is Tony Iglesias here? You have seven minutes.

>> Thank you. My name is Carol Lee, and welcome to you, Mr. Cronk. I'm glad to have you in Austin. I have just three brief issues to discuss with you today. The first is on government transparency. There's been some remarks by some of you that this was just a technicality. That's why you're taking it up again. It wasn't just a technicality. Property owners who received notice of the zoning change had no clue about the waivers and variances until late October 2016, and that was due to being informed by individual citizens, not the city. Adjacent property owners hustled to exercise their petition rights, and when the petition was validated, the applicant moved the zoning boundary to silence their voices and invalidate the petition, causing the deal to pass by one vote that day. Citizens deserve to be informed of what actions you are considering taking. That is not just a technicality. I'm not going to rerash facts that have been provided in past hearings because I know you're tired of hearing about this case. We've talked about it a lot now. And some of you don't let the facts get in the way of forming your conclusion and position.

[4:32:15 PM]

Staff provided very selective and oftentimes erroneous information to you. You requested a deep dive and recommendation to you which was to deny approval of the first amendment. Then at the last

meeting, mayor Adler and our chief executive officer belittled the hard work, the month of hard work that they spent to arrive at a recommendation that was approved by seven of the nine members. That's shameful. The last thing I want to bring up, which I think is a subject you do like to talk about, is affordability. This is an opportunity for you to walk the talk. The action taken in November 2016 by the council quadrupled the market value of this property. Some might be happy to make double, but, no, we're talking quadruple, four times the amount. No matter how it's developed, the value of these extreme entitlements that were gifted to the developer will be passed along in apartment rental rates, in the office leasing rates, or the cost of caring for the elderly. Please understand how your actions are what have the real effect on affordability. We remain vigorously opposed to the first amendment to the 1996 special exceptions granted to the champion tract 3, the entitlements it provides, the public processes that it bypasses, and how and why it was crafted are obscene and set a very bad precedent. Please do not reinstate this horrible agreement. Thank you.

>> Mayor Adler: Thank you.

[4:34:15 PM]

[Applause]

>> Mayor Adler: Linda Bailey here? You have time donated from Marisa lipsher.

>> I don't need it. I'd like to welcome the neighbors that are here today. I think many of them have left, but many of them are watching on the television. Would you all please stand up? Thank you. Thank you. Lake Austin collective remains strongly opposed to the champion tract 3 waivers, and we continue to ask that you vote against them. We think councilmember Alison alter and our lawyer Bobby levinski for their tireless efforts on our behalf. I'm glad to say we do support a better alternative for a less intensive development. If you deny the waivers today, that would guarantee a more appropriate development. Thank you.

>> Mayor Adler: Thank you.

[Applause] Is Vicky frank here? Would you like to speak? You also have some donated time. Tessy Cole? And Alex stapper? You have five minutes.

>> Good afternoon, mayor Adler, council.

>> Mayor Adler: Can you pull the microphone to you just a little bit?

>> Good afternoon, mayor Adler and the city council, our new city manager cronk. My name's Vicky frank. I live in Westminster Glenn. I've also been an active Austin realtor since 1985. My specialty has always been within the Westlake area, the 360 corridor, up through 2222 and the Barton creek area. I moved here in '83; it was a family move. It was required by a job requirement to move to Texas. There was only one city that would meet our family needs, and that was Austin, Texas, because it was clean air and a very clean environment.

[4:36:23 PM]

And it was only one high school that would work, which was Westlake high school, because at that time it was the only high school that had a full-time on-staff nurse, because our daughter has a very rare, deadly form of asthma that at that time in her life was a 24/7 issue to keep her alive. So when I decided I wanted to become a realtor, it was more about wanting to spread the word hills was in particular. I loved it. Back then there was only a handful of realtors that would wander into those hills because there was just a few homes that were really built as get-aways as people that lived in large cities in Texas. The city of Westlake was and remains very strict and very stringent in protection of its environment, not only for the beauty and the streams and the quality of life, but there's rare trees. I lived in Austin when 36 -- when bee cave road was a very small two-lane road with virtually no traffic. I was a realtor when 360 had virtually no traffic, up to 183. I lived in Austin when there was a moratorium on 360 to stop developing that area for a lot of reasons. Part of it was for the beauty of the land, but mostly it was because we were so environmentally sensitive here. Most of Austin, or a good part of Austin, I should say, west Austin, is within the very sensitive recharge zone for the Edwards aquifer, and I hope you are familiar with how the aquifers work within the state. Excuse me a moment. Austin has long been noted for -- the austinites, I should say, protection of what we have here, and that includes everything from the environment, as mayor Adler said, later what makes Austin Austin, what makes the other cities envy who we are.

[4:38:26 PM]

And I'm watching this slip away. That's sad, but we still have to deal with the fact that this environmentally very sensitive. Austinites, as back far as I could find, in 1960, have been fighting to pleasure of our environment. Back in 1960, Roberto crenshaw fought and won the "No" vote for a developer that wanted to make half of lake Austin an amusement park. Can you imagine, if she had not stopped that? Can you even stop to think what our lake would look like today? It's the same now. I was here when, you know -- excuse me -- I was here when the 360 pennybacker bridge was one year old. I was here when the sos alliance was formed, you know, and they took on freeport mcmoran, see port, Gary Bradley, and Jim Bob Moffet, with Gary Bradley, in development of the Barton creek area and circle C. Is here when the endangered species, the golden cheek was gold -- warbler, itstopped homes under construction, stopped development. A blind salamander. You bet it did. Because our ecosystem is incredibly precise. Everything depends on everything else. If you upset the balance of one thing, you pay for it all the way down the line in ways unimaginable. Our creator knew what was the right way to create our environment, and we have to be very careful to hang onto that and not let that go away.

[4:40:26 PM]



You know, the intersection of 2222 has been forever a very dangerous intersection. I can remember when it was the most deadly --

[buzzer sounds]

-- Do I need to stop?

>> Mayor Adler: You need to conclude your thought.

>> Pardon?

>> Mayor Adler: You need to conclude your thought.

>> Okay. So my thought is, besides danger at the intersection, the fact that we have wildfire issues in the canyon lands, all the traffic -- there's also the fact that not every tract of land in this city or any city should be developed. Certainly not. Large commercial projects.

>> Mayor Adler: Thank you.

>> I ask that you vote no.

>> Mayor Adler: Thank you.

[Applause]

>> Mayor Adler: Richard Suttle. Do you want to speak? And I'm supposed to give you, the applicant, the opportunity to open. I apologize for not doing that.

>> Actually, there is not a hearing, this is an item.

>> Mayor Adler: Okay. Then I didn't make a mistake. I did it just right. Mr. Suttle.

>> I'm Richard Suttle. I'm here on behalf of the applicant, and we're here to answer any questions. There's been no change since our position the last time, and we urge passage of third reading of the settlement agreement.

>> Mayor Adler: Okay.

>> We're here to answer any questions, and if there are any amendments offered, we would like to hear them. Mr. Levinski who posed a few to us earlier in the afternoon, and we don't -- we don't know exactly what they do and we don't think they're needed to implement what we've talked about all this -- for all the time that this case has been around. Thank you.

>> Mayor Adler: Thank you. We are now to the dais. Mayor pro tem.

>> Tovo: Mr. Suttle? I haven't seen the amendments, but just to keep from having to call you up again, so you said -- do you have an objection to the amendments?

[4:42:27 PM]

>> I do.

>> Tovo: Okay.

>> I do.

>> Tovo: Thanks for the clarification.

>> Mayor Adler: We're now back to the dais. We have a motion in front of us. Any further discussion? Councilmember alter.

>> Alter: Mayor, I'm a bit disappointed that you asked for a motion to approve. You know that earlier today, that I had told you that I wanted to make a motion to deny, and this is in my district. I want to make sure that the neighbors understand that I did try to make a motion to deny these waivers. But unfortunately, I was not allowed to make that motion. As neighbors and my colleagues know already, I remain opposed to the variances council is on the verge of approving today. I concur with the environmental commission and believe the variances do not result in an environmentally superior project, compared to what we could expect to be built under original settlement agreement. This is even more true if we were to consider the environmental requirements that would be -- they would be held to under our existing code. I believe that this property has had a change in project and, therefore, should be subject to our current zoning requirements, and I also believe that the process we are undertaking is bypassing the legislative process required for a zoning change because the waivers were never sent to the land use commission, and a public notice of a zoning change, and no public hearing took place. To the neighbors, I want to say that I'm sorry that this journey has been so bizarre. And while I strongly believe that Mr. Cronk needs to understand the vagueries of this, I know that my colleagues are out of patience with the champions case. I've got news for you, there's another one coming in a couple weeks. But I will share that with Mr. Cronk separately. To the neighbors, I say again that I'm proud to represent you, I'm with you, and I'm with the environment, and I will be voting no.

[4:44:31 PM]

[Applause]

>> Mayor Adler: Any further discussion on this motion? Councilmember pool.

>> Pool: I'll also be voting no.

[Applause]

>> Pool: You know, we've been hearing rumors of lawsuits from both sides that, you know, if we vote this way, with developers are going to sue us, if we go that way, neighbors are going to sue us. You know, if I have to be on what side of the lawsuit, I am going to be on the side fighting with the neighbors and against the developers. That would be my choice, so I am voting to deny this, which I think is the appropriate and the proper and the right thing to do today. See if anybody else has anything to say. But that's my piece.

[Applause]

>> Mayor Adler: Any further discussion on item number 13? Mayor pro tem.

>> Tovo: Just very quickly, so when we took this up the first time, it was also as part of a zoning case, and I stand by the decision I made at that time to rezone from office to multifamily. I think it is a tract that's appropriate for residential use, so I'm comfortable with that part of the original decision. I was really torn last year about the environmental variances, and in the end, did support them. I did know there were environmental variances at the time, but in the intervening -- in this intervening period, we've certainly had more discussion about those variances, and I've had an opportunity to have both additional analysis, as well as deeper conversation, about it. I'm very glad that we sent it to the environmental commission. I believe that was the right move, so I'm going to support the environmental commission's recommendations and also vote against -- vote against the variances today.

[Applause]

>> Mayor Adler: Further discussion on the dais? Let's take a vote. Those in favor of item number 13, please raise your hand. Flannigan, Casar, Renteria, Garza, troxclair, and me.

[4:46:36 PM]

Those opposed? The balance of the dais. This item passes. That's item number 13. Is there a consent on zoning that we can do and move people out offer?

>> Thank you, mayor and council, Greg Guernsey, the planning and zoning department. I'll walk through the items I believe we can offer for consent, starting with item number 63. This is npa 20160016.01, offer this for consent in second and third readings. 64, case c14-2017-0090. Sh, staff would offer this for consent approval on second and third readings. Item 65, case npa 20170016.03, staff is requesting a postponement of this item to your March 22nd agenda. Item number 66, npa 20170016.02, staff is requesting a postponement of this item to your March 22nd agenda. 67, case npa-2017-0002.01, I believe we have two speakers that would like to address council on item number 67. And in addition, item number 68, which is case c14-2017-0105, so those two would be a discussion item. Item number 69, since it's after 3 o'clock, item number 69 is npa-2017-0015.03, and, mayor, I believe we have at least one speaker that would like to address you on that case and the related zoning case, which is item number 70, case c14-2017-0027.

[4:48:45 PM]

Since there are speakers, that would be a discussion item. Item 71, case c14-2017-0050. This is for consent approval on all three readings, it's item number 71. Item number 72 is case c14-2017-0051. This is for a staff postponement to your March 8th agenda. Item number 73 is case c14-2017-0084. The applicant has requested a postponement of this case to your March 22nd agenda. And, mayor, I believe you have at least four speakers that have signed up. I'm aware that at least two or more are in agreement with that postponement, for exploring some further options, so I don't know if you want to

just ask if anybody is here. We could offer this for consent, postponement to March 22nd if no one objects.

>> Mayor Adler: Okay. So this item 73 has four speakers that have signed up. Only two to speak. Dr. Mcghee, is he here? Is Susana armanza here? Leave those on the consent agenda to be postponed until March 22nd.

>> Thank you, mayor. 74, c14-2017-0116, the applicant is requesting a postponement of this case to your April 12th agenda. Item 75, case c14-2017-0123, staff is requesting a postponement of this item to your March 8th agenda. Item number 76 is case c14-2016-0136, staff is requesting a postponement of this item to your March 8th agenda. Item 77, this is case c14-2017-0147, and, mayor, we could offer this for consent approval.

[4:50:57 PM]

I understand councilmember pool would offer an amendment.

>> Pool: Right. I want to just pull it off consent, make a quick amendment, then put it back on consent. Would you like me to read the amendment?

>> Mayor Adler: Is it really, really fast and not controversial?

>> Pool: I would like to amend the conditional overlay on this item to allow one residential unit per lot, rather than just one residential unit total. So it doubles the number of residential lots that are permitted on this site.

>> And, mayor, I've spoken with the law department, and we can do this on all three readings still with that minor change.

>> Mayor Adler: Do you recommend that change?

>> Staff is fine with this change. The applicant, as they apply the case, asked for one unit, then kind of recanted and asked for, can we have one more on the other lot, and staff has no objection.

>> Mayor Adler: I'm not sure I understand. Let's pull that. We're going to pull item number 77.

>> Item 78 is case c14h 20170119. Staff is recommending this for consent approval on all three readings. And then finally, item number 79 is case c14-2017-0067. I have a neighborhood postponement request from cona 2222 who's working with the owner on a private restricted covenant, but mayor, I also believe you have one speaker that may have signed up for this case.

>> Mayor Adler: We do. Linda Guerrero. S Ms. Guerrero here? I don't see her. So let's leave that on the agenda to be -- on the consent agenda to be postponed until March 1st.

>> Correct.

>> Mayor Adler: Mr. Renteria?

>> Renteria: Mayor, I want to pull 67 and 68. I also would like the opportunity to make a comment, but I think that we're going to try to negotiate with the ones who live next-door so we can actually get this development done in the right way, and if I can request the postponement on this.

[4:53:22 PM]

>> Mayor Adler: Let's go ahead -- we'll pull item 67, 68, 69, 70, and 77. The others between 60 and 79 are on the consent agenda. Is there anyone here to speak on the consent agenda? Is there a motion to approve the consent agenda? Councilmember Garza makes that motion, seconded by councilmember Renteria. Any discussion on the consent agenda? Councilmember Flannigan.

>> Flannigan: I'd like to be shown voting no on item 64.

>> Mayor Adler: Okay. Any other discussion on the consent agenda? Those in favor of the consent agenda, please raise your hand. Those opposed? It's unanimous on the dais, with councilmember alter off. Thank you. We have item number 80 that I think we can take care of real fast. It is -- it's what, just conducting a public hearing? I'm now calling item number 80. I show Mr. Peña signed up to speak. Is there anyone else to speak? I hear none. Is there a motion to close the public hearing? Mr. Flannigan makes that motion. Is there a second? Councilmember Garza. Objection? Hearing none, the public hearing is closed. Do you want to talk to us about it?

>> Only if you have questions.

>> Good evening, council, mayor, city manager. My name is Tiffany, division manager with the parks & recreation department. I'm here as the lead to answer any questions regarding our annual renewal of our ordinance for our local standards of care for our youth programming.

>> Mayor Adler: Okay. Is there a motion to approve the local standards of care, city parks?

[4:55:22 PM]

Ms. Houston makes that motion, seconded by mayor pro tem. Any discussion in those in favor, please raise your hand. Those opposed? It's unanimous with councilmember alter off the dais.

>> Thank you so much.

>> Mayor Adler: Okay. You want to take us through some of the zoning items that we need to discuss?

>> Yes, mayor. Greg Guernsey, planning and zoning again. Councilmember Renteria mentioned a possible postponement, I guess items 67 and 68. These deal with a property known as four east. They're located at 1600 and 1602, 1604, 1606, 1608, and 1610 east fourth street, cases npa-2017-0002.01 and c14-2017-0105, a related zoning case, it's item 68.

>> Renteria: Mayor, the reason why I asked for a postponement, basically, the occupant came to my office and offered a potential use of the first floor of this building to be used as a source where creative and art people could be able to use that at a very discounted rate. So I really haven't gotten that information in yet, but that's why we're asking for it and asking -- if we can just have a brief discussion. I think the occupant is here, and he can just come and say a quick word, so we can just postpone this to the next meeting, city council meeting.

>> Mayor Adler: Okay. Mr. Whelan, you want to come up?

>> This is four east, located in the plaza tod, and what we are talking about doing to get one additional floor above the 60 feet, which is the minimum, is 12 additional feet would be one additional floor, and doing 9,000 square feet of cultural community art space at greatly reduced rent.

[4:57:40 PM]

The reduced rent would come out to over \$900,000 of subsidization per market. I've got calculations for that. I know people have signed up, so I don't know if it would be appropriate to have them --

>> Mayor Adler: Mr. Renteria is asking about postponing this. Do you have any objection to it being postponed?

>> We don't have any objection to postponing it. I just don't know whether it would make sense to get some feedback from everybody as well, though. I know it's kind of odd, on whether there's an interest to see cultural art space on a day when you unanimously supported such an -- such a resolution, but I hate to make assumptions about that. So I don't know whether -- it's fine, but it would also be helpful, I think, to get some feedback.

>> Mayor Adler: I hear you. There's some people that have signed up to speak. Should we go ahead and call them? Unless you have a question for -- go ahead, mayor pro tem.

>> Tovo: Thanks, Mr. Whelan, for being here. I may have sent these questions already through my staff to you. I'm interested in learning more about this arrangement,.

>> Yeah.

>> Tovo: And in particular, I've asked my staff to connect with you and get some information about how that calculation -- how you performed that calculation and if you can get us some comparables for similar office space in the area. I think the term that you were considering was five years --

>> That's right, five years at 50% and 60%. And we've talked to some of the artists that were here earlier today that were speaking passionately about it. Having a little bit of a step-up, rather than a jump-up, was something that they think would be helpful. And this would be a considerable reduction. They're paying about two to three dollars per square foot, per month right now, which is about \$24. The rent currently, market rent is about \$33 per square foot in this area, for this type of office, and we'd be offering it at \$15 a square foot for the first two years.

>> First two years and it would be at 60%, which is -- of that as well.

[4:59:40 PM]

>> Tovo: Thank you for that. Thanks for those details. I'm going to need to read them.

>> I understand.

>> Tovo: And particularly I'm going to need to -- I would like to be able to compare it to like properties in the area and their current rents.

>> Totally agree.

>> Tovo: Then to talk about the length of time there because that two years not terribly long.

>> But it's a total of five, two at 50% and three at 60%. It's a lot of money though, \$956,000 suddenly did I. That's why feedback would be helpful. I think having a little bit of a policy discussion to get feedback would be helpful. I don't have objection to a postponement. I think getting feedback would be helpful.

>> Tovo: Since you asked for feedback, I'm very interested in this proposal. I will need to understand how that value -- as I've indicated how that valuation -- how you've arrived at that valuation but also is there an affordable housing component as well?

>> It's an office, but the answer is yes.

>> Tovo: Fee-in-lieu we're talking over each other.

>> I'm sorry.

>> Tovo: I'm sorry.

>> Idaho you'd have to pay 516,483 dollars, about \$500,000. To go from 50 feet to 72 feet, one additional floor, would be over \$900,000 of rent subsidy for 9,000 square feet, for a total of \$1.4 million.

>> Tovo: But the 1.4 is inclusive of the \$900,000.

>> Correct.

>> Tovo: In rent benefits.

>> So you've got the 900,000 for fee-in-lieu and 900,000 plus for the space. I want to be clear, the only way to could this currently, under current code, is with cure zoning. That's been I think the challenge we have in getting feedback, and we know cure is horrible. We get it. It's -- but we're on our path to get rid of it. And we filed this case well before the resolution or any discussion about eliminating cure ever surfaced. So we're caught a little bit in terms of bad timing, which is why we acknowledge cure is not an appropriate tool to be used because it offers no community benefit, and we have offered meaningful, significant on-site community benefit because we are acknowledging that publicly it's needed.

[5:01:57 PM]

You can't just have cure without offering some on-site community benefit like we're doing.

>> Tovo: Thank you.

>> Mayor Adler: Unless of course -- and since -- as part of that issue, of course, since we can't do a quid pro quo in exchange for zoning for something we're not allowed by ordinance --

>> I know.

>> Mayor Adler: I know you know. So one of the things to ask council for is what happens in a situation where a property owner graciously comes in and makes a -- you don't have to answer that right now, graciously makes a voluntary offer to do something on a piece of property that we're otherwise acting on? Councilmember pool.

>> Pool: So I'd like to have staff talk a little bit about the cure elementary. And I think we have -- cure element. Mayor, I think your office is working on a replacement to cure, maybe, and we're scheduled to approve removal of cure on March 1. So this is, as Mr. Whellan points out, putting them in kind of a difficult position. Thank you, Mr. Whellan, I was going to talk to staff. I would like to know, Mr. Guernsey, about the contact team, what -- where are they with this?

>> So currently the east Cesar Chavez neighborhood planning contact team is opposed is the last thing I've heard. Also, the cure amendment will come to you on March 8. I think that was set at your last meeting -- or maybe the meeting before. I can go into this if we're going to discuss this. I don't know if you want me to go through cure -- cure is basically very, very brief, was a tool. Councilmember Mitchell, I think, worked on back in the '90s and created a tool for redevelopment in east Austin. Mainly designed for property that's at least ten years old, to encourage new development in east Austin, as was passed in your resolution I think there's been a lot of development in east Austin so its time has passed as far as that tool.

[5:04:10 PM]

I think that's pretty much recognized by commission staff and council will have the opportunity to vote on that particular item on the eighth. This case was filed in August, before the resolution, that council passed, I think, in October. And so this case came in before council had even made a motion to consider revoking that provision of cure, giving that direction. If you'd like I can go further into the staff report or --

>> Pool: Thank you for that. To answer the mayor -- or to answer your point, the reason why I wanted to bring some of this out is since we're now talking about it, we are hearing all the positives and I know there are some negatives, but if there is a postponement and we've only heard the pluses, then we may go away for two weeks and think that that is the best place to be, whereas we haven't heard the other



side of the coin. So if we're going to postpone it, I guess we should have done that before even starting to talk about it. But I did feel like it was important to get some of that other information out there.

>> Mayor Adler: We do have two people signed up to speak against this. Is Gwen o'bar here?

>> Kitchen: Mr. Mayor, I had a quick question.

>> Mayor Adler: Go ahead.

>> Kitchen: That was for Mr. Whellan. It was just to -- actually, you don't have to answer it now. I wanted to echo what the mayor pro tem had been asking about. I'd be interested in understanding further what you're contemplating in terms of the rental subsidy and art assistance and so I would just like for that information at some point.

>> We'll make that available. I want to acknowledge, councilmember pool, the contact team was against going to 72 feet even when we doubled the fee-in-lieu, they rejected that in that context.

>> Pool: You know what? All these microphones are so low today. Could you say that one -- you're telling us that the contact team --

[5:06:12 PM]

>> No. I'm acknowledging that the contact team voted no even when we offered to double the fee-in-lieu for the extra floor so as \$11 to get up to 60 feet and '22 for the extra floor for a total of 1.1 mislead.

>> Pool: \$1.1 million.

>> Pool: Thank you for that. There's of course the whole set of information that's flowing underneath this that we need -- I think the rest of the panel need some time, the dais needs some time to understand everything that's going on.

>> I'm not sure if there was a question in that or you would like know answer --

>> Pool: What I was saying, I was going to ask you if there was a second vote of the contact team but Mr. Whellan took care of the answer.

>> Mayor Adler: Gust pointed out to me that our fee-in-lieu needs to be recalibrated as we're discussing the codenext process to make it align with the market.

>> Renteria: Mayor, I know also that the neighborhood -- the homeowners association right across the street are against that 72 feet. And I had just a quick discussion with some of the residents there, and they were against it. But when they envisioned whether -- there's potential for retail also there. They just wanted to hear a little bit more. But I don't think that we're actually going to be able to persuade -- to tell you the truth persuade the contact team even at that level to go on something like this. So I just wanted to have a little bit more discussion on it. I didn't want to go ahead and vote against it right away unless -- I want to make sure that all the parties involved, including the people that live right across the street, it's an alley, really, that's going to be separated, and whether they're comfortable and we need to

negotiate how -- work it out whether if they are really serious about having some retail there, if they are, we could sit down this and have discussion.

[5:08:22 PM]

If not, then I'm not going to be able to support this project.

>> Mayor Adler: Okay. Is Brad parsons here? So neither of the people that signed up to speak to this are here. You have a motion to postpone this? To when?

>> Renteria: I would give myself at least until the next meeting, which is --

>> Mayor Adler: Either March 8 or March 22.

>> Renteria: To March 8.

>> Mayor Adler: Is that right?

>> I think March 1 is the next and then March 8.

>> Renteria: I would like to do it at the eighth.

>> Mayor Adler: Motion is to postpone until March 8. Second to that motion? Ms. Houston makes that. Any further discussion? Those in favor please raise your hand. Those opposed. Unanimous on the dais with Mr. Casar gone.

>> That was both item 67 and 68.

>> Mayor Adler: Okay. Both 67 and 68.

>> Next item is 69 and 70, these are related cases, and the east mlk combined neighborhood planning area, 69npa-2017-0015.03, the Jackie Robinson residential project and they are asking for a change in the neighborhood plan future land use map designation to high density single family. This was brought to you by the planning commission with a recommendation for higher density single family land use on a vote of 7-5. The related zoning case, case c14-2017-0097 for the same properties at 1321delano street and Jackie Robinson street, zoning change to the sf-6 designation, coo neighborhood plan.

[5:10:25 PM]

The planning commission also recommended the zoning case on a 7-5 vote, with some additional conditions of limiting the property to 62 units. The neighborhood traffic analysis to be enforced through a public restrictive covenant. Separately not as a condition of zoning the commissioners recommended council to prohibit truck traffic through Eleanor and fort branch boulevard. Since this case has been filed there's been lots of discussion among the neighbors out there regarding this case. They are supportive with several conditions. These are outlined in your backup material. They came in actually late. I believe

the speakers that have signed up are in favor or neutral but they would like to address you on those items. I can pause and go into more detail on the case or you can hear directly from them.

>> Mayor Adler: We ready to hear the additional information? Why don't you bring them up. Sir.

>> Mayor and council, Jim witliff. I had my eyes dilated today and y'all shine so bright so I need these. Okay. I'm the representative for the property owner, and I just want to state first of all I want to make one clarification on what the planning commission vote was. Yeah, their vote was 7-5, but it would have been 10-2. Three of them had voted against said they only were opposed to the cap of 62 units. They wanted no cap on there. So it could have been 10-2. I've worked hard with the neighborhood on this. This is a case where I knew going in what a lot of the deficiencies and challenges on this site entailed. There's 20-foot piles of illegal fill on this property, and that's all going to have to be dealt with.

[5:12:27 PM]

There's flooding problems downstream, and so one of the things we offered and it was my recommendation, you know, to the neighborhood that we would do our stormwater detention at 110% of what the city requires in order to not only not make flooding worse but actually make it better for the people downstream. Then through the neighborhood transportation analysis process, staff recommended 1200 feet of off-site sidewalk be built. We agreed to build that. We agreed to pay 40,000 bucks so if we can build the sidewalks cheaper we'll give the rest of the money to the neighborhood for projects that they want to use it for. And, you know, I think this is a great project. This is -- because of the illegal fill on this site, this site would never, ever be dealt with as sf-3 zoning because the costs are so tremendous to remove these 20-foot tall piles and either dispose of that property or -- that soil or properly compact it. So going with sf-6 not only allows us to deal with the environmental issues but also allows us to cluster the development and I was very proud -- I did the conceptual plan on here. Not a 32 very significant class one trees, we're able to save 31 of them. The 32nd one we could save except it's in a compatibility setback area and, you know, it's just I guess ironing that the house that we have to do compatibility setback from is a junkyard. So they should do compatibility from us. But that's it. If you have questions, I'll answer them. Thank you.

>> Houston: Mayor.

>> Mayor Adler: We have some people also to speak. Ms. Houston.

>> Houston: Could I ask a clarifying question? Thank you so much for coming. Could you speak a moment to the private restrictive covenant?

>> Yes, ma'am. So the private restrictive covenant involves -- I mentioned two of the items.

[5:14:31 PM]

In fact I think I mentioned all three of them. It include the 110% stormwater detention for all three ponds. It says that the trees will be retained unless certified arborist says they're diseased, damaged or dead, and then the last one was if we have money left over after building the sidewalks we'll give it to the neighborhood association. And I did -- councilmember Houston, I did give the original document to be recorded to[indiscernible] The head of the east mlk contact team along with a check for the filing fee with Travis county clerk and he graciously offered to hold that. I wanted you to know there will be no doubt that this thing will get filed.

>> Houston: Thank you, sir.

>> You're welcome.

>> Mayor Adler: Thank you. Let's hear from public testimony. Is Aaron Ali rounder here? And then pinaki gosh is on deck?

>> Thank you, councilmembers, mayor, mayor pro tem, and city manager. My name is ally rounder, representing the hog pen neighborhood association as well as the east mlk contact team and a homeowner on Delano for 15 years. While we are not opposing the hail change to zoning and neighborhood plan for this proposed development it should be acknowledged more than 30 household submitted proper documentation demonstrating opposition to this land use change. We ask council to take the following actions as this is a simple public safety issue which is not able to be seen, recognized, or responded to by taking the approach that has been employed to date. We need all councilmembers to take a more holistic view of how to mitigate the impact of the intense development that is impacting our neighborhood right now.

[5:16:36 PM]

Councilwoman Houston is very active in working to address transportation and public safety challenges on Springdale and mlk. She and her staff developed a bird's eye view of the impact but she need all councilmembers to support and to take action required to address these serious and emergent public safety issues in our neighborhood. We ask that city council order a higher level traffic study known as a tia to consider street infrastructure and assess possible solutions. The purpose of this would be to impact an ordinance that would require additional street right-of-way acquisition and alleviate the over capacity traffic pressure on one narrow residential street that serves as an arterial for the entire area. We ask that the two solutions that we have identified be considered, and at this time I'd like the map shown. That was submitted. So why? Why do we ask you to consider these two solutions? Safety. When a street is so congested that fire trucks and other emergency vehicles cannot reach the residents on that street, that problem becomes urgent. The current construction on 183 into a toll road has brought additional pressures to our street and will continue to do so as construction continues for years. The current traffic study method, the nta, is inadequate.

[ Buzzer sounding ]

>> Mayor Adler: Finish your thought.

>> Austin's threshold level is 2,000 trips for reference, San Antonio's threshold is 76 trips. The current nta gives a snapshot of traffic that's too small. This method does not take into account concurrent development.

[5:18:37 PM]

For example, our neighborhood has 26 duplexes currently under construction on an additional eight vacant lots.

>> Mayor Adler: Thank you very much.

>> Houston: Excuse me, mayor, could I ask a question?

>> Mayor Adler: Yes, Ms. Houston.

>> Houston: So you've talked about the traffic, and we've had a short conversation about the sidewalks. There were, like, seven other things that you needed to kind of highlight. Would you give us a very quick review of the other three or four?

>> I would be delighted to. So staff has been encouraged by and supportive of the two solutions identified because the first one would have the most impact. It's a completion of towny hill lane curving through a corner of the recently sold aid property. Tannehill is a wide street and designed as an arterial and would complete the needed street to serve the area. We ask that city council inquire and advocate for a four-way stop signs and traffic calming measures. With tech center disappearing this increases the sense of urgency on Delano. We ask city council pass an ordinance prohibiting the city of Austin maintenance trucks to travel along Delano street. There's been an amicable word of mouth agreement with city drivers, but it's just word of mouth. It's not a formal agreement or a binding agreement. We would like to express that these concerns will continue as other zoning and mp change requests are made. We ask officials for awareness of traffic issues as a whole in the neighborhood, as zoning changes are requested, considering the compact development encouraged by codenext, considering the current dense cottage lot zoning in our area now, considering future zoning change requests in the pipeline, known as the aviary and interlocal, considering the recent \$15 million sale of a property in the neighborhood to be developed as high density residential, considering the rapid dense development happening in our area already.

[5:20:54 PM]

We must be aware that infrastructure needs are ongoing and rather urgent. Infrastructure needs must be considered before development. Finally, we also ask that city council direct the development services department to assess Delano street as a whole when new developments are considered and traffic study are created. In order, measuring traffic on Delano at its outflow close to webberville, not near the traffic origination in order to assess the picture rather than a smaller area that misses the larger context.

We also ask the department take into account the other current development and consider likely future development when conducting traffic studies. Thank you.

>> Houston: Thank you so much.

>> Mayor Adler: Thank you. Pinaki gosh. David king is here. You have five minutes.

>> I will probably not take five minutes. I have a presentation . English is my third language. I always have presentations.

>> Mayor Adler: Yes.

>> I'm the chairman of the east mlk combined contact team. I'd like to talk a little bit on a broader topic of the transportation that Ali talked about. One thing I would like to first say, this is a rare occasion and to the new city manager, this is a strange situation where you will see neighborhood contact team, the developer, and the city all agreed on upzoning. It's a very rare thing. We should all appreciate it. Now, a few people, Susanne continually, Ali here, she work tirelessly to make sure this thing happens because there was tremendous op opposition also. And I would also like to thank Scott Grantham and many city employees along with Jim witliff who all came together as a team to create a solution where transportation was given priority.

[5:22:58 PM]

And I have this picture to show you that we had about ten such meetings where we all came together and it took us three months to come to a solution. Ali talked a little bit about the sidewalks. This is the sidewalk commitment that we have received from the city, which includes some of the sidewalks that Jim talked about, the developer will be paying for. But it will help us in alleviating a lot of the problems with the traffic. So we as a contact team support the [indiscernible] And the zoning change many this case. We as contact team, we support it. But I would like to talk for a couple of minutes on a broader topic. This is the east mlk planning area, and we just spent four months designing transportation and all these things, and we are not trained as transportation engineers. I'm a structure engineer. And all these things -- all these -- things on the right, they're all industrial area to be converted into a residential area. So these are industrial areas. These will be converted into residential areas. And there will be 15,000 people who will be going to the groceries and everything and we don't have any grocery or anything. We don't have hospital, grocery, anything. So if you look at the streets, you'll see how empty that is, all that. Because there are no streets. 20% of the streets that are shown in the Flum do not exist. And what are we asking citizens to do? We are asking citizens to be transportation engineers, designing the whole thing. How efficient is that? It's a very bad way of doing things.

[5:25:03 PM]

What -- but one of the things -- we do not have anything. We have two golf courses. Isn't that wonderful? So I -- that's a joke.

[ Laughter ] Sorry. These are the streets, and thanks to Susanne for this work. These are the streets which do not exist. Ali was talking about all of the development there marked in green, they will be developed. And every time in the next one year, we are going to come here, wasting our time developing the transportation network, which doesn't exist. So I have a small request. This is my request to all of you. If you want to spend -- save some time and money, let's go in, design a transportation with the proper transportation engineers so that we don't have to come here every day, every meeting and design this again and again. Let's do a holistic solution. Let's -- and let's -- the neighborhood agrees. And they will agree. Because they have nothing at this point in time. So that's pretty much all I had to say. But I'm requesting everybody to help us with the transit system which doesn't exist. Thank you.

>> Mayor Adler: Thank you. I think that gets us one last speaker. If think of right. Josiah Stevenson. Mr. Stevenson.

>> Thank you, mayor, councilmembers. I'm mostly here to support paid sick but happened to goat here in time for this. I'm on the boards of friends of Austin neighborhood and we have a severe housing shortage in this city that impacts our entire city, especially the 55% of us who rent our homes. So I'm here supporting this -- I'm supporting the move from sf-3 to sf-6.

[5:27:06 PM]

I want to echo the last speaker's comments about connectivity and stress the importance of connecting the rest of that street grid. Just in general that we need both more density -- oh, and more housing all over the city and also we need streets that connect to each other so that people have multiple roots and that's a big priority in codenext and I hope that -- I hope that we invest the resources to connect that grid over there. Thank you.

>> Mayor Adler: Thank you. Those are all the speakers. We're back up to the dais. Does anyone want to make a motion? Is there a motion to approve the --

>> Mayor, council, we do have an ordinance for both if you desire to move forward today, you could do so on three readings on both of these items.

>> Mayor Adler: Okay.

>> Houston: I so move.

>> Mayor Adler: And your motion is to approve the planning commission recommendation, which caps the number of units. Is that correct?

>> Houston: At 62.

>> Mayor Adler: At 62. Motion is to approve planning commission amendment capping at 62.

>> Houston: And future --

>> Mayor Adler: Sorry?

>> And close the public hearing.

>> Mayor Adler: And close the public hearing. Items number 69 and 70. Is there a second to that? Councilmember pool seconds that. You want to discuss it first?

>> Houston: I do. Because the applicant's agent and the neighborhood has worked very hard on this. Since coming to this council in 2015, I have always talked about the lack of transportation options and the way we look at trap impact analysis and we're looking at it project by project, rather than cumulative, which is where the impact is. I have 700 -- somebody mentioned Springdale and five first street. I have 701 units going in at that intersection and yet we're still looking at something that says it's okay, that they'll be able to handle that.

[5:29:12 PM]

Well, they're not handling it now. And so a lot of the things is we're asking neighborhoods to do things that they're not eligible to do, qualified to do, because it's hard to get our transportation department to listen to the realities on the ground. And so this is one of those -- there is this -- Mr. Guernsey, the city -- is it an energy or gasoline station out there on hub cap road?

>> I think we have a service facility.

>> Houston: Service facility off 183 the trucks are going through. There's nothing that we really can do. We've asked transportation to look the a four-way stopped, asked transportation or somebody to say don't use trucks going down. So a lot of things have been put in place that the city council can't implement but the transportation department needs to be paying attention to the neighbors' reality on the ground, and that's where the conflict is coming in. There's going to be some additional housing next to Norman elementary school on Tannehill. They just sold that property. There's things that are happening in that part of the city and, again, the infrastructure has never been put there to handle the density that the city is placing in that part of the city. I asked about routes -- the relationship to public transit, and they have used the current routes, not the proposed routes. There won't hardly be any way for people to use public transit once those changes go in through cap metro. So there are a lot of things going together and we keep putting the density in places where the infrastructure is not in place to handle it, not only streets, its transit, it's stormwater and I want to thank the developer and the neighborhood for working this out because this is the best that I think we can do at this point. But we haven't forgotten all these issues. We've sent them over to the transportation department and hopefully we can get some relief for you.

[5:31:16 PM]



>> Mayor Adler: There's been a motion and second. Any further discussion before we take a vote.  
Councilmember pool.

>> Pool: I also want to weigh in, and I don't know if staff can answer or maybe councilmember Houston but my understanding is our fleet services use Delano as a cut-through street and if there's a way we can stop that I think that would also benefit this neighborhood.

>> Mayor Adler: Okay.

>> Pool: Ms. Houston, is that accurate?

>> Houston: Yes. That's the service center that we're talking about on I-35 and I think hub cap -- wherever the police union's building is. They're right there on that same street.

>> Mayor Adler: Councilmember Flannigan and councilmember alter.

>> Flannigan: Mr. Guernsey, in reference to the 62 unit restriction, how many units could be built on this site without that restriction?

>> Based on the calculation and the type of zoning we're talking about, it's probably 64 would probably be the outside but I think there's agreement by all the parties and your commission at 62.

>> Flannigan: So I -- it's basically the same with or without the co and I think for simplicity sake better to not add this and end up with an f25 zoning and all that and the other. And I think it's important to note sometimes you don't need a co because the natural factors of the site limit what you can build. I'd like to move to amend to remove the cap of 62 units.

>> Mayor Adler: Walking amendment.

>> Flannigan: Sorry.

>> Mayor Adler: That's okay. Anyone want to speak before we recognize Mr. Flannigan to make that amendment?

>> Houston: I certainly know his opinion on conditional overlays, but this is what the neighborhood has agreed to and so has the developer and so I'm not willing to reduce -- to let that go.

>> Mayor Adler: Mr. Flannigan moves to remove the limitation to 62. 62 units. Is there a secretary to that? Mr. Casar seconds that. Is there any discussion?

[5:33:18 PM]

Let's take a vote. Those in favor of removing the restriction to 62 units raise your hand. Mr. Flannigan, Mr. Casar. Ms. Troxclair. Those opposed? The balance of the dais. The motion does not pass. We are back to the motion to approve these two items. Councilmember alter.

>> Alter: I just wanted to ask councilmember Houston for clarification if you're moving it on all three readings or on one?

>> Houston: I'm sorry. I thought we said all three readings and close the public hearing.

>> Alter: I just wanted to clarify. Thank you. You may have said it. I just missed it.

>> Mayor Adler: That's okay. We're voting on all three readings, closed the public hearing. Those in favor please raise your hand. Those opposed. Unanimous on the dais. It's a tad past 5:30 but let's take care of 77 real fast.

>> Mayor, if I may, we've got a copy of the ordinance. So this is a picture of the site. There are two lots, and the applicant is only asking that -- on each lot they can have one house. And right now the case as it is brought to you has only one house for those two lots so it's an increase from one house to two houses. It would be allowed one house on each lot.

>> Mayor Adler: Councilmember pool moves adoption of this item 77 with the change that it's one house per lot. Is there a second to that? Councilmember Houston seconds that. Any discussion? Those in favor please raise your hand.

>> And closing the public hearing. We had one -- I don't think you have any speakers on this one.

>> Mayor Adler: No speakers. All three readings, right?

>> That's correct.

>> Mayor Adler: All right. Close the public hearing, all three readings. Mr. Flannigan.

>> Flannigan: Just very quickly, Mr. Guernsey, are there any overlays or other restrictions that would prevent the -- an adult-oriented business from going on this site?

>> That would probably take further analysis because you have to be within so many feet of parks, schools, and to look at the percentage of lots that if there's more than 50% are within the area that are residential.

[5:35:33 PM]

So it would take a little more in-depth analysis.

>> Flannigan: Just noting that it is a cs zoning.

>> Mayor Adler: Okay. We have a motion and we have a second. Those in favor -- mayor pro tem.

>> Tovo: I just wanted to know if my colleague wanted to make a motion for conditional overlay prohibiting adult-oriented business.

>> Flannigan: I'm not moving to do anything.

>> Mayor Adler: Those in favor of item 77 please raise your hand. Those opposed. Flannigan voting no. The others voting aye with Mr. Casar off the dais.

>> Again, noting they closed the public hearing along with that.

>> Mayor Adler: We closed public hearing.

>> That concludes your zoning items for this evening.

>> Mayor Adler: In fact we only have one thing left, the sick leave matter. We're going to pick that up after dinner. It is 5:30. We now have music and proclamations. We want to try to come back here 6:45? 6:45 we're back here. Let's start -- we'll have a bunch of people. We have -- we have hundreds, 100 -- let's refresh that, 143 people signed up. We're going to say 6:30 but we're really going to start at 6:45 sharp. With that said it is 5:36 and we stand in recess.

[5:47:18 PM]

This is just a check. Y'all can keep talking.

[ Sound check ] Check.

[5:49:18 PM]

[ Sound check ]

>> Mayor Adler: so if I can see that there are a few people out here that have been with us all day. We started about 10:00 this morning. But for those of you that manage to catch the last half an hour or hour of this, you fully understand why it is that music is so important to these council meetings. You know, we are the live music capitol of the world, which is -- makes it only fitting that I think we're the only council in the world that stops virtually every city council meeting to make sure that we bring a little live music into this place and kind of press it into the walls so that we can keep going the rest of the evening. So this is an absolute thrill for us, especially because today joining us is Croy and the boys.

[ Cheers and applause ] So Croy and the boys are Amy Hawthorne and Casey see more and Steven and Joe and bad boy Croy.

[ Laughter ] Croy and the boys make Austin, Texas, music. Somewhere between hart country and hard boogie, Croy and the boys are just part of a burgeoning scene of younger country upstarts that claim Austin's musical heritage as their own and they claim Austin, Texas, as their home.

[5:51:30 PM]

You can find them at honky tonks around town such as east Austin's the white house, also south Austin's Sam's town point and in clubs and devices across the world, as they work to remind people that in order for country to go outlaw, it has to come to Austin, Texas, first.

[ Laughter ] Please join me in welcoming Croy and the boys.

[ Applause ]

>> Thank you so much, y'all. Happy Croy and the boys day to everybody. I think you're good. We are Croy and the boys and we believe that every working austinite should have eight paid sick days. Seems like common sense to us. Thanks so much. We're going to play a song I wrote when I was writing it I was having a hard time because I had a bunch of big words in it which can be tricky to fit into a country song. You know what I mean? I finally realized it would be easier if I spelled it out so I spelled out these words so if y'all like spelling you can spell along. We're going to spell out the word gentrification, cultural elitism homogony and cod racism.

[ ♪ Music ♪ ]

[5:58:59 PM]

>> Thank you Austin!

[Applause]

>> Mayor Adler: Thank you so much. So if somebody out here or if somebody watching on TV wanted to find you, do you have a web site?

>> Croy and the boys.com.

>> Mayor Adler: Okay. And then if somebody wanted to get some of your music, how would they do that?

>> Well, it's available for free on the internet, so you can get it there.

[Laughter] Or you can buy it through a web site or come to one of the shows because I sell it out of the van at every single show.

>> Mayor Adler: And speaking of shows, if somebody wants to come hear you play, when is your next couple gigs in town?

>> We'll be playing tomorrow night, Friday night, the white horse. Doing a single release. We'll be doing that with them. Generally we play every Wednesday night at midnight at the white horse as well.

>> Mayor Adler: Great. Well, we have a proclamation here. Proclamation, be it known that whereas the city of Austin, Texas is blessed with many creative musicians whose talents extend to virtually every musical genre, and whereas our music scene thrives because Austin audiences support good music produced by legends, our local favorites and newcomers alike, and whereas we are pleased to showcase and support our local artists. Now, therefore, I, Steve Adler, mayor of the live music capital, do hereby proclaim February 15 of the year 2018 as Croy and the boys day in Austin, Texas. Congratulations.

[Applause]

[6:05:54 PM]

>> Mayor Adler: You guys set? All right. Jackie, we're ready. This is a fun one. We have another proclamation. Be it known that whereas the Austin energy science regional festival of the year 2018 will showcase the talent of more than 3,000 elementary through high school students, from public home, charter, private schools throughout the greater Austin area, and whereas 2018 marks the 62nd anniversary of an Austin regional science fair in celebration of an event in which the city of Austin remains one of only two U.S. Cities to bring a regional science festival to its community, and whereas science fairs like the Austin energy science regional festival 2018, with the theme science in motion, helps spark an interest in children to pursue science, technology, engineering and math careers. And whereas we congratulate the participants, especially those whose winning project will go on to state and international competitions, and we thank Austin energy, our community-owned electric utility, for sponsoring and organizing this important event for the 16th year in a row.

[Applause] And we thank Austin science education foundation for its critical role in securing sponsorships which aid in the funding of this event. Now, therefore, I, Steve Adler, mayor of the city of Austin, Texas, do hereby proclaim February 21st to the 24th of year 2018 as Austin energy regional festival days in Austin, and here to tell us about it is the general manager of Austin energy, Jackie Sargent.

[6:08:07 PM]

Jackie? Congratulations.

[Applause]

>> Thank you. The Austin energy regional science festival brings together some of the sharpest young minds in the Austin metropolitan region. Two of these talented students are here with us today. Rucha Yoshi and argen Jane have participated in the Austin regional science festival for several years, and last year they advanced to the Intel international science and engineering fair where they each brought home prestigious awards. Congratulations.

[Applause] Students like rucha and argen are the reason Austin energy continues to sponsor and organize this great event by investing in this science festival Austin energy is investing in the future of Austin. Our goal is to spark an interest in pursuing stem careers. We're helping to build the next generation of engineers, scientists and mathematicians who will keep the Austin economy strong and competitive. We hope to hire some of these young people after their education is complete. Hosting this large event every year is not possible with the support of hundreds of volunteers and funding from sponsors. A number of these volunteers are actually going through orientation this evening so that they can be judges for us at the festival. I want to thank the Austin science education foundation for helping to recruit the volunteers and to help raise the funds necessary to hold this event. I also want to thank

the six major sponsors of this year's science festival for their generous support. The sponsors are the Intel foundation, Bae systems, synopsis, 3M, the elegran foundation and thermal fisher scientific.

[6:10:13 PM]

Thank you, mayor.

[Applause] Thank you, mayor, for recognizing and acknowledging this year's participants, our sponsors with the proclamation. We appreciate the honor and would love to have you take a photograph with us.

>> Mayor Adler: Let's move over here and do it. So we're going to center on that spot right there.

[6:12:18 PM]

>> Thank you to the individuals and organizations, like speck ra suspect and the safe alliance tore here to show support for teen dating violence awareness month and to accept this proclamation. I want to extend a special welcome to Elizabeth cre sent and I, mother of Jennifer, and Carolyn mosley mother of ochela mosley. For those who are unfamiliar with these family Jennifer and ochela were teenagers right here in Austin when they were killed by their ex-boyfriends. As a mother of two teenagers, I can't even begin to fathom the tragedy that these two have been through, and my heart goes out to you and your families. I'm amazed and inspired by your strength and your ability to take devastation and turn it into a positive opportunity to build a better, safer world. Hearing your daughters' stories is heartbreaking. Adding to that sadness is the grim fact that we're not -- that they were not the first, nor the last teenagers whose lives were ended much too early at the hands of dating violence. Our country was shocked by the news yesterday afternoon from a Florida high school. We find ourselves again reading headlines about lives cut short by senseless violence. Although details are still slowly being released and we do not have all the facts, we are hearing stories that the shooter made violent threats to an ex-girlfriend and physically attacked a young man for later seeing the same young lady. As I said, we do not know the motives yes, but I am deeply disturbed by the news of the shooting and by stories of his toxic relationship history. These are terrible realities that we live in and that we often do not wish to dwell on or discuss. However, to prevent these tragedies from shattering our families and our communities in the future we have to talk about it. It is our responsibility to our children to raise awareness for dating violence.

[6:14:21 PM]

The many families -- though many families have been lucky to remain untouched by dating violence, the mothers standing with me are proof that these things are exist in this very city that many of us call home. By talking about dating violence we can work to emphasize healthy relationships from an early

age and help guide young people towards productive and respectful dating habits. I am honored to carry this proclamation today and honored to remember the lives of Jennifer and Ochela and of every young person who has lost their life to dating violence. I am so grateful for the work that these advocates are doing to raise awareness on this issue and will always support the fight to keep our schools and our children safe. So the proclamation reads, be it known that whereas, respectful, supportive and consensual relationships are key to safety, health and academic success, especially at a young age, and whereas victimization, including early experiences of sexual coercion and harassment increases teens' risk for substance abuse, eating disorders, unwanted pregnancy and suicide, and whereas we have lost precious members of our own community to violence from a dating partner, and whereas parents, teachers, coaches, health care providers, clergy, peers and other important people in teens' lives have the power to influence youth in positive ways and can help prevent tragedies resulting from dating violence. I Alison Alter, along with my colleagues Leslie Pool and Ora Houston, Mayor Adler, Kathie Tovo, do hereby proclaim February 2018 as national teen dating violence awareness and prevention month. Thank you.

[Applause] I'm going to -- I'm now going to turn the mic over to Kearsa Family Violence Director of Family Violence Justice Center.

>> Thank you, Kearsa hereafterlaw and I'm the chair of the Austin family violence task force.

[6:16:28 PM]

We thank council member Alter for sponsoring this proclamation. Thank you to the Mayor, thank you to council member Houston, to council member Tovo and to council member Pool for being here in support of us as well. This is a very important issue. This is national teen dating violence month, this particular week we are here, and it is my honor to introduce you to Elizabeth Cresente, who you've just heard about. Her daughter was killed several years ago, and this is actually the anniversary of her daughter's death. Elizabeth?

>> Thank you. So 12 years ago today my 18-year-old daughter, Jennifer, was brutally murdered by her ex-boyfriend, Justin. So this opportunity to support this proclamation is especially imperative to me, and I am most grateful for the honor to be here with you. My daughter suffered for several years at the hands of her abuser. My extensive attempts to find her help were largely unsuccessful because there was not the type of help out there then that there is today. Meanwhile, the mother of the 18-year-old who shot and killed my daughter was trying to obtain help for him in every single way she knew how. In our evolution over the years we've learned that we must focus on not only the victim but the potential perpetrators of these crimes. When I speak publicly I say no perpetrator, no crime. But I also am now able to communicate that we cannot simply be punitive. We must obtain the help that these children deserve. So I thank you for this proclamation, for creating a space for us to be heard, because we still strive to help as many teens experiencing teen dating violence as possible, and with your support and acknowledgment lending legitimacy to our -- our fight, we are learning to not only address but prevent these fires instead of simply throwing water at them after being lit.

[6:18:35 PM]

I cannot close without paying my greatest respect to my colleagues, who also stand before you, and the many that worked tirelessly to bring about change. Over the years they have taken me under their wing -- wings [chuckle]. I began this journey 12 years ago. They've educated me, supported me, empathized with me and moreover have been in my book absolute rock stars in their perseverance to prevent teen dating violence. I'm a different person than I was 12 years ago, and they are a big reason why. Thank you again for the opportunity to speak to you this evening.

[Applause]

>> I'd like to introduce Carolyn Mosley.

>> I thank you all for just even having me here today. I first want to say thank you for this proclamation because this proclamation has become my career. 15 years ago O'Chelo Mosley was murdered, and it's still happening to me today as far as the thought of her being murdered. It's something I would never get over, but what I do with my time is I go and I talk to students and parents and teachers about teen dating violence prevention. This proclamation is giving me the power to go out and teach. It's giving me an understanding too. I went out and got an education too myself after my daughter was murdered, so that I can become -- I'm a psychologist. My major is in social and criminal justice and psychology, a double major, and I did that to myself so that I can go out and help students. And I'm in a school now, I work for Del Valle Independent School District.

[6:20:38 PM]

I went from being an officer to a teacher so that I could be in the schools with the students so that I can help them understand what teen dating violence prevention and awareness is, because a lot of them don't even know that they're in abusive relationships. When a young man killed my daughter I lost no love for him because I knew that there was a mental issue there, and we need to get him some help too. This proclamation helps me and others, helps all of us. I'm so proud of us. It's 15 years for me, and I won't give up. Like I told them years ago, I'll continue to do this work for my daughter. And I thank you all and I ask you all to speak up and speak out with us, and I appreciate you. I don't want to take much time, but I appreciate you. Thank you.

[Applause]

>> Good evening. My name is Berry Rowsen Liewt and I do the Respect Respect program at the Safe Alliance. As you can see this night means so much to us as survivors, as advocates and allies. It's really our time to be here together to support each other and to find our strength and to recommit ourselves and to share the message with all of you that we are working to end dating and sexual violence among youth here in Austin. The Safe Alliance exists to prevent all forms of violence and abuse, and we are there for you or a loved one or a young person in your life who may be experiencing unhealthy or abusive



relationships or sexual harassment or other forms of exploitation. Please contact us at 512-267-safe, 7233.

[6:22:38 PM]

And we have chat and text line options as well. I want to thank you all for the time tonight and for the support of all the council members, and I want to leave you with some information, if anybody here would like to pick up tips for parents on how to have these conversations with young teens, how to talk about healthy relationships and what's important for them and their health and their safety. And thank you. Thank you all for giving us this opportunity to commit ourselves for another year.

[Applause]

[6:24:49 PM]

>> Mayor Adler: All right we have a proclamation. Be it known that whereas Ian Hs risely, the president of rosary international, a service organization, with a presence in over 200 countries and geographical areas, has decreed that each rowtarian worldwide, over 1.2 million, will plant a tree in their home country to make a difference during the 2017 to 2018 rotary year, and whereas over 2600 rotaryians residing in rotary district 5870 of central Texas are committed to making our capital city and surrounding communities even more beautiful places for future generations. And whereas all rotarians in Austin have each pledged to plant at least one tree specifically on or around February 10 for the betterment of our environment. Now, therefore, I Steve Adler, mayor of the city of Austin, Texas, do hereby proclaim February 10 of the year 2018 as rotary Arbor day.

[Applause] Congratulations.

[Applause]

>> They say the best time to have planted the tree was a hundred years ago. The second best time is now. We missed a hundred years ago, but we're working on it now. We have 25 -- 2600 rotarians in central Texas, and during this rotary year from last July 1 to June 30, they will be planting each -- each one of them will be planting at least one tree somewhere in the -- in the district. This past Saturday we planted about 500 trees here in the Austin area. I think six clubs participated and planted them and we'll be taking care of them for the next year to get them growing.

[6:26:52 PM]

But we are doing our part to help make Austin a beautiful community to live in, and we thank mayor Adler for this proclamation.

[Applause]

[Applause]

>> Good evening, I'm Kathie Tovo. I serve as mayor pro tem and represent city council district 9 and it's my pleasure tonight to present the following proclamation along with my colleagues here on the council on behalf of national wear red day, which was actually February 2, but as you can see from all the red here in the chamber, the city council as well as so many of the volunteers and others who are here are also wearing red.

[6:28:54 PM]

We're having our own wear red day here today in Austin.

-- At Austin city hall. Be it known that whereas cardiovascular disease is the number one killer of women in the U.S., claiming the life of one woman every -- almost every 80 seconds. And whereas about 80% of cardiovascular diseases are preventable. Some risk factors such as blood pressure, smoking, cholesterol and lack of regular physical activity can be controlled, and whereas the American heart association's go red for women movement motivates women to learn their family history and to meet with a health care provider to determine their risk for cardiovascular disease and stroke. Now, therefore, I, Kathie Tovo, along with my colleagues and on behalf of Steve Adler, mayor of the city of Austin, Texas, do hereby proclaim February 2, 2018 as national wear red day in Austin, Texas.

[Applause] And now I'd like to invite the chair of the go red for women campaign Virginia Visser on up to the microphone to tell us a little more about wear red day.

>> Thank you. Thank you, council member Tovo and the rest of the city for recognizing February as a time to raise heart health awareness. As councilwoman Tovo referenced not only for women but for men, heart disease is the number one killer, and it is our mission to change that through education, outreach and research. On behalf of the American heart association, which you have members here today with us, representative of the Austin chapter as well as volunteers, we hope to create a world free of cardiovascular disease. With your support we can continue building a healthier Austin and central Texas. And as the chair for the go red summit for women, have to do a little plug. Our event is next Friday. We hope that you will join us. A wonderful opportunity around awareness prevention and some fun as well.

[6:30:55 PM]

So again, thank you to the city for this recognition. Greatly appreciated.

[Applause] Okay. So next Friday, 9:00 to 1:00 at the JW Marriott, and if you'll go to the American Heart Association Austin chapter you'll see all the details on how to purchase tickets and be included. Thanks.

>> Thank you.

[6:33:07 PM]

>> Mayor Adler: All right. All right. This is a sad one. We have a city of Austin distinguished service award for diligent and -- diligent service and dedication to the citizens of Austin during a 20-year career with the city of Austin. David Potter is deserving of public acclaim, recognition and appreciation. David has worked as a conscientious and dedicated employee of the neighborhood housing and community development since 1998, has risen to neighborhood development program manager, and over the course of David's career in housing he has been instrumental in helping to create and preserve more than 8,000 affordable households.

[Applause] Which has positively impacted the lives of individuals and families as well as future generations. In addition to serving the city of Austin, David's public service also includes working for the U.S. House of Representatives, James Jarrell, J.J. Pickle and Lloyd Doggett. David has been an extraordinary role model to those that have worked alongside him. He is an outstanding professional mentor, teacher and colleague, known for his pleasant disposition, helpfulness and just a contagious sense of humor. His legacy and inspiration will remain but his friendship and company will be missed by all those who work with him, and this certificate is presented in acknowledgment and appreciation thereof this 28th day of February in the year 2018, which means you have to work through the end of the month.

[6:35:21 PM]

[Laughter] City of Austin city council. Congratulations, and thank you so much for your service.

[Applause]

[Cheers and applause]

>> Well, thank you. I just found out who wrote that entire proclamation, and thank you, Sherri. I hope you're feeling better. I want to thank Mayor Adler and the council members, our new assistant city manager, Spencer Cronk, welcome. Assistant manager Joe Pantaloni and department director Joseph Truelove -- Rosie Truelove, family and friends, Paul Hilgers who brought me here 20 years ago. Thank you for this proclamation on the occasion of my retirement. To me the city has been the best employer and I've only worked in one department since 1998. I've had the good fortune of being able to work with amazingly talented and dedicated coworkers, Manush, Gina, Leticia Brown, very talented as well as city employees outside my department. I started out administering city's contracts with the Austin Area Urban League and the Austin Tenants Council and ended up managing a high-profile program that has

provided millions of dollars over the years, and somebody said 8,000 affordable units. I didn't know that. Anyway --

[laughter] So our focus for several years now has been on the development of rental housing, which is the result of our high-cost housing market and Austin's continued growth, and for those who are on the lower end of the economic scale they're just -- it's no secret there just aren't many housing choices for them.

[6:37:28 PM]

But we as a city are trying to fix that. My staff and I worked with developers started with project concept meetings to their formal request for funding, reviewing and evaluating of their application, recommending their projects for funding, through the loan closing process, through construction and all the way until the last unit is leased up or the last house is sold. These are very long-term relationships we've developed with our development partners. I learned so much from working on deals with Sarah Andre, Diana macgyver, Dean sis it Mac, Walter Monroe at foundation communities as well as our smaller organizes like blackland community development corporation and accessible housing Austin. On the ownership side mark Rogers with the Guadalupe neighborhood development corporation and all of the wonderful folks at Austin habitat for humanity. And it's impossible to sum up in a few sentences how much fun I've had, how much I've learned and the fulfillment of seeing a finished affordable housing product of such high quality that you hurs -- yourself would want to live there. So many times we focus on statistics and numbers of housing units produced, but we always need to remember each of those units house people, and every person therein has a story to tell. So that's my story. I sincerely thank you for this honor and let's work to make every day David potter day.

[Laughter]

[Applause]

[6:40:10 PM]

>> Renteria: I have a great honor to read the next proclamation. Be it known that whereas 89 years ago the founders of the league of Latin American citizens lulac, joined together to establish an organization that would grow to become the largest, the oldest and the most successful hispanic civil rights and service organization in the united States. And whereas, since in tech, February the 17th, 1929 in Corpus Christi, Texas, lulac has championed the cause of the hispanic American education, employment, economic development and civil rights, and whereas lulac has developed a comprehensive set of nationwide programs fostering education, attainment, job training, housing, scholarship, citizenship and voter registration, and whereas lulac has adapted a elective performance to promote humanitarian relief for citizens and immigrants, increased educational opportunity for our youth, and equal treatment for all in the United States and this territory including the commonwealth of Puerto Rico and whereas

lulac members in Austin and throughout the nation have developed a tremendous track record for success, advancement -- advancing the economic condition, education attainment, political influence, health, quality of life and the civil rights of the population of the United States. Now, therefore, I, council member Sabino Pio Renteria, on behalf of Steve Adler, mayor of the city of Austin, Texas, do hereby proclaim February the 11th through the 17th, 2018 as national lulac week in Austin.

[6:42:11 PM]

Thank you.

[Applause]

>> My name is Frank Ortega. I'm the district 7 director. Just wanted to say thank you to the mayor and to the city council members and especially to Pio. Thank you very much. We are also the largest in the district currently in the state of Texas, actually, and our numbers continue to grow. In back of me I have two of my officers, Jacob, who's the youngest of all of our members who serves as the deputy director underneath me, and Ashley, who is deputy director of youth. Each one -- Ashley comes from St. Edward's and Jacob comes from UT. The other folks behind me are members of one or the other of those two universities. They're also graciously volunteering to help increase our numbers in the county as well as the city. But again, don't want to take much of your time. Thank you, mayor and Pio.

[Applause]

[6:45:11 PM]

>> Mayor Adler: We have an additional proclamation. Be it known that whereas Austin industries based on engineering and technology feed our local economy and retain highly educated workers in our area. And because engineers play such a vital role in our society, it is important to ensure that children discover careers in science, technology, engineering and mathematics-related fields. And whereas volunteers from local companies, organizations, institutions are making classroom visits during engineers week, and will continue through the rest of the school year providing hands-on activities and discussion about the importance of engineers in society and career opportunities that are available. And whereas we applaud the engineers and scientists who volunteer for classroom visits and other outreach activities and support their efforts to inspire students to pursue careers designing our future and improving our world. Now, therefore, I, Steve Adler, mayor of the city of Austin, Texas, do hereby proclaim February 18 to the 24th of the year 2018 as engineers week. Congratulations. I'm going to present this to -- to Rick McMaster. Do you want to say a couple words?

>> Certainly. Thank you. Thanks, mayor. I'd like to introduce two current engineers, Sharon and Cesar, and we have Caitlyn, a potential future engineer, if that's what she chooses to do. And I really want to thank all the volunteers who represent the many companies, institutions, professional societies around Austin, who reached over 9,000 students in the past school year.

[6:47:12 PM]

What they try and do is take what we call stem, science, technology, engineering and math, and roll in the arts, roll in other things to show how it all works together. Thanks to the steering committee members who do this free of charge throughout the year, and to our current financial donors, who include 3M, Emerson, IBM and national instruments, that allows this program to be brought to schools free of charge. Now, you see that I have on a science Thursday t-shirt today. I don't have a central Texas engineer shirt -- discover engineer shirt and that's because Thursday was Thursday at the bullock. Once a month we have volunteers who go down and show students the science, the engineering, the math behind the exhibits they have. Today we had volunteers from IBM and the society of women engineers. They saw over 600 kids on field trips. And the last school year we reached over 4,000 students that way. Now, as the mayor said, next week is officially national engineers week or engineers week as we call it today, and we have some bookend events. We have engineer day at thinkery on Sunday, and we have drill day at UT Austin the following Saturday. There's a couple of intervening events, the Round Rock public library has an engineer day on Tuesday, and home school day at the bullock, and, you know, we're going to be there doing some engineering on Thursday. You may know that the American association for the advancement of science is having their annual meeting here in Austin, and as part of that Saturday and Sunday they have family science day at our convention center. We are -- one final thing I forgot almost, sorry, Sharon.

[6:49:14 PM]

At the science bill, Johnson City, the following Sunday is engineer day out there. We're always looking for schools to visit and more volunteers. If you go to engineer in the class.org, you can sign up and learn a little bit more about us and decide if you want to sign up. Do we have a couple minutes to do a little science?

>> Mayor Adler: Okay.

>> Okay.

[Laughter] I have a balloon. Now, remember science doesn't always work the way you think it's going to. Okay. You need to blow up the balloon.

>> Mayor Adler: I was a history major.

[Laughter]

>> And tie it. Okay. Tying it is always the most difficult thing. Okay, we're going to try that again. Maybe I should have had you tie them both. That's a faulty balloon.

>> Mayor Adler: See, I should be an engineer.

>> Okay. I'm going to try not to let this one loose. Okay. There we go. Okay. Now -- now -- oh, here they are. We have some wooden skewer. Have you ever put a skewer through a balloon?

>> It's always popped.

>> Hopefully it won't. We'll take the sharp end and put it in very close to where you blew it up. Very close. Here we go. This is a tough balloon. Okay, notice -- look at that. Now, the tough part is getting it out the other end because you have to take it out where it's really, really dark, and so you have to kind of gently prod -- find that point, and push the skewer through -- this is a tough balloon. And what we have is a balloon kabob.

[Applause]

[6:51:17 PM]

[Laughter] These are tough balloons. There you go, I see the point coming through. Is it through yes?

>> Mayor Adler: Is it there yet?

>> Just push. Yeah!

[Laughter]

[Applause] So a little science. It's not magic. Science is just magic that works. So thank you.

>> Mayor Adler: Thank you so much. Let's take a picture.

>> Pretty good. Thanks again.

[Applause]

[ ♪ Music playing ♪ ]

[7:19:06 PM]

>> Mayor Adler: all right, council. We about ready? So we want to talk about -- on how we're going to do this. So the council rules say that the first 20 speakers speak for three minutes each. Every speaker after that speaks for one minute each.

>> Oh, thanks.

>> Mayor Adler: The rules say that to the degree that I can recognize ten on each side to distribute that, that I am to do that. I was given a list of speakers from the -- I guess the foresight of this, ten people that I would -- for side of this, ten people I would recognize. I have some people that have signed up also against this. I haven't received a list of against people to see if there was a particular order so I'll just call the people that were -- as they signed up. Against. We have a lot of people in the room. And we're going

to try to get through this as quickly as we can. We have a lot of people signed up to speak, over 300 citizens have signed up.

[ Cheers and applause ]

>> I also want to talk about something else too. We -- we had -- we've had debates in this room recently where one side or the other have felt intimidated coming into this space and being able to speak, and I think it's really important that we conduct this opportunity for residents to be able to address the council in a way that we move quickly through this so that we're as little unfair as we can possibly be to the people that will be here at 1:00 or 2:00 in the morning and try to get them to speak earlier than 2:00 or 3:00, which means I need to move from one speaker to the next one just as quickly as I possibly can.

[7:21:39 PM]

It also means that everybody who speaks here has an opportunity to speak here, and what they say should be respected and we should listen to what everybody says. And let the force of their words and their arguments have the weight that they should have. And I would really appreciate everybody's help with this, again, because this is going to go late and we need to be truly our better selves in this discussion as it goes forward. This is obviously very emotionally felt and held on every side of this issue. Everybody. On all sides. So we're going to begin this discussion. There's also a rule in our ordinance, council, that says that the max time allowed for a discussion like this is 90 minutes unless it's extended by the council. Given the people that have shown up, it would be my action, unless the council tells me otherwise, to not be limited by that 90-minute rule. So I'm going to try to give everybody the opportunity to speak that wants to speak, consistent with what I have just said. With that said, I am now going to call us into order. It is 7:22. We are back on the dais. It is -- still continues to be February 15, at least for a little while longer. And we're going to start now discussing this item number 49, and the first person to speak who has three minutes is Jose Garza. Mr. Garza. On the other -- I'm going to call them down in groups so that people can move to the podium, so that you have a chance to speak.

[7:23:44 PM]

And asked X that add khan, is he here in we're just going to keep moving through people. I really do greatly appreciate everyone's help with this. Mr. Garza, you have three minutes.

>> Thank you. Tonight you are on the verge of making history. Good evening, my name is Jose Garza and I'm the executive director of workers defense project and workers defense action fund. This evening you have the opportunity to become the first city in the south to ensure that working people have the right to take a day off when they get sick. More than 80% of men and women working in construction stand to benefit from your courage tonight. But that's not all. Your courage this evening could start a conversation across this state about what kind of Texas we want to be. Because when you act with courage, you give others the courage to stand up and act too. I know that it has not been easy for us to



get here. I know that this conversation has not always. But we are incredibly grateful to you, mayor Adler. People in Austin have come to depend on the kind of leadership that you have demonstrated time and time again. We are grateful to councilmember Casar, mayor pro tem tovo, councilmember Garza, councilmember kitchen, and councilmember Renteria for your steadfast unwavering commitment to people who work in this town. Councilmember Flannigan, we are grateful that you stood up to raise concerns and to come forward with solutions.

[7:25:50 PM]

There is no doubt in my mind that we are on the the verge of this historic moment because of all of you. But we're not there yet. Tonight you still have some difficult ahead of you. At workers defense we believe that every person who works in Austin should have the opportunity to earn paid sick days and to use those days to care for themselves or a loved one. Those are our values and those values should apply to nonprofit organizations too. Opponents of paid sick days do not want people to be able to take a day off when they get sick and even now they distract to distract from you the opportunity before you. Tonight a vote to delay is a vote against paid sick days. A decision not to vote tonight is a vote against paid sick days. Tonight we are asking you to vote your values. Tonight we are asking that Austin city council vote for paid sick days for all people who work in Austin. Thank you.

[ Applause ]

>> Mayor Adler: Is Wendy Davis here? Mr. Khan, you may begin. You have three minutes.

>> My name is Adam Khan, testifying against this ordinance, and I assume this is going to be the most popular speech I've ever given in this chamber. This ordinance is a hot mess and this ordinance is fraught with peril. Now, I could probably give you a dozen or so economic reasons why the unintended consequences of this proposed ordinance will backfire. I think you've probably heard them and I think they're all old news to you guys so I'm not going to bother.

[7:27:51 PM]

Instead I want to draw upon my decade and a half of experience in the service industry to illustrate some of the unintended consequences that I do not think have been given full consideration on this dais. Number 1, this ordinance, as it is currently written, will be so easy to abuse it's almost cartoonish. After 30 hours in a week, I'm going to qualify for an hour of sick leave? After two or three weeks I'm going to qualify for two and a half, three hours? Who do you think is going to use that? In an industry that has a notorious work hard/play hard culture with early start times? Who is going to take advantage of that? Second of all, because I think this ordinance will be as easily abused as written as it looks like, I think that higher costs are going to become part of the cost of doing business for employers in this town and ultimately that will mean lower wages for everybody. If you have your revenue staying the same but you ultimately have to cover a ordinance that requires sick leave hours, that is going to lead to more

hours that has to be covered with the same amount of revenues. Naturally that is going to lead to lower wages per hour. You may not like me saying that, but it is reality, and it's just common sense. Finally, I just want to talk about the ease -- I want to comment on the unfairness and the poorly thought through nature of asking people to essentially serve experiment. We don't really know what this is going to do, this ordinance has not been properly vetted. It is poorly thought through and full of unintended consequences and, frankly, the most vulnerable citizens in our city are ultimately going to be the ones who pay the price for this hot mess of an ordinance.

[7:30:06 PM]

So the hippocratic oath that doctors take say first do no harm. Well, I am ask the council tonight to first do no harm.

[Buzzer sounding] Think this through better, and please reject this perilous hot mess of an ordinance.

>> Mayor Adler: Thank you very much.

[ Applause ] Literally, this will add 45 minutes to the night for the people who are going to be here last. Please let's -- help me move everybody forward. So at this next podium if we could move up Tom Kinney. You'll be there. Senator Davis.

>> Thank you, mayor Adler, city council, and especially for those of you who have led the way on the ordinance that is being considered this evening and for those of you who have expressed legitimate concerns and worked towards consensus. For a long time I called Fort Worth my home, for most of my life actually but now my home is Austin and that decision was purposeful and quite honestly in large part it was motivated by the work that each and every one of you has done to make this city what it is. The courage just and proactive positions that you've taken and the fact that you work to assure the dignity, respect, support and protections important to the people that call this city their home. From leading the way on climate change, protections to proactively and creative addressing affordable housing solutions, to fighting for the safety your immigrant community by pushing back against the impacts of an unfair state anti-sanctuary city bill, you have continually led the way and set an example for other cities in this state and honestly across the country for what good governance looks like. And now of course you have an opportunity to lead the way on an issue that's so important to people who live and work in the city of Austin.

[7:32:14 PM]

Over 233,000 of them who will be impacted by this ordinance and so many of them, in fact the vast majority of them, who work in very low-wage jobs and who are most impacted by a decision of having to go to work sick or stay home and lose pay. I represent now an organization that works very hard to try to advance the interests of women and equal opportunity for them. And I want to speak particularly to the impact that this ordinance has on women, from mothers who currently have to make a decision

to send a sick child to school or to go to work sick themselves and potentially get their coworkers sick to women who are the victims of sexual violence and domestic abuse who go without the kind of social and other health care that they need because they can't -- cannot afford to miss work in order to do that, to women who in this state have to endure at least a two-day process in order to seek abortion care, many of them having to travel over 100 miles to seek it, and who are put in a position either of missing two days of work and potentially losing their jobs or making a decision about their reproductive autonomy that is going to have an impact on their ability to provide for themselves and the children that so many of them already have. This is an issue that has a unique impact on women purchase on February 9, just a few days ago, the Bloomberg news posted a sobering statistic, one in ten Americans last week who died divide flu-related symptoms. We have an opportunity to make sure people don't spread those symptoms to others in the workplace.

>> Mayor Adler: Thank you.

>> And I encourage you to please vote that way tonight. Thank you.

[7:34:15 PM]

[ Applause ] Is Karen Reyes here? No? You'll be there. Go ahead.

>> Mayor Adler, members of the city council, thanks for letting us all speak tonight. And I'm here representing the small business. I'm a restaurant owner. I've been in the business for a long time, and I want you to know I am for paid sick leave. But not the way this is written. This is poorly written. I've read the Seattle ordinance. I've looked at the Washington, D.C. Ordinance. I've looked at a lot of these, and these are 30-page documents, just the q&a on the Seattle one is 24 pages. We have an ordinance that's written for six pages. This wouldn't pass a high school civics class. I mean, what we want is an ordinance that is fair to all concerned. And think about it. Why wouldn't we have qualifying standard for a sick day? Why would a part-time employee -- we're an entry-level employer. I have a number of high school kids that work for us, they work eight, ten, 12 hours a week. Would we be giving them sick time as soon as they reach the 30 hour threshold? Have you ever worked -- you know, after -- at what point is it unreasonable? We want to be able to take care of our workers who are sick. We offer paid time off for people that work 30 hours or month. I think that's a reasonable standard. We need to have one that has the input of the business community. This is ram rodded through. This isn't thoughtful. This is about power. You know, we can condemn Washington, that the left doesn't listen to anyone, the right doesn't listen to anyone. This is a chance for all of us to write a better bill because we -- I mean, what's the point of pushing something through that none of the business community thinks is good? We're not a bunch of greedy capitalist pigs that don't care about our people. This is not about democracy cheering and groaning.

[7:36:16 PM]

This is about reasoned debate and policy making. Is this good policy making? If I was studying public policy would I say this is a lesson that I would teach to my student as good policy making? Is this the best the city of Austin can do? I don't think so. I know we can do better than this. And why rush it? Get it right. Don't get it fast. Take your time. Listen to all the parties concerned, all the stakeholders. I went to the stakeholder meetings and business people, they didn't want to hear from us because our voice was drowned out in a sea of oohs and ahs. We understand. We work with people. We're in the hospitality business. It's about taking care of people. That's what we do. I can give you countless examples of what we have done to support our staff, to help them when they're sick, and think about accommodations. If I have a server sick on Tuesday and can't work and we give them off and you they won't lose any income if we give them an opportunity to work another day in the same pay period. What's wrong with that? We understand people need their income. We understand being a good employer means taking care of your worker. So give us a chance to help form the policy. Thank you.

>> Mayor Adler: Thank you very much.

[ Buzzer sounding ]

[ Applause ]

>> Mayor Adler: Is Michelle Mueller here? Michelle? I'm sorry? Michelle Mueller, you'll be up here next. Ms. Reyes, you can begin.

>> Thank you. Good evening. My name is Karen Reyes, I'm a special education here in Austin. I teach three and 4-year-old. I'm a proud education Austin member and part of united we dream Austin. I'm here to urge you to support item 49 which would allow workers in Austin to earn paid sick days. So first I want to start by sharing two things with you. So I remember when I was a young child, I come from immigrant family. And when I would get sick my mom couldn't miss work. It was either pay the bills or take care of me at home.

[7:38:19 PM]

So sometimes she would take me to work with her where she would clean houses and I would be there bundled up with my spice girls thermos and hoping that we would getting to home soon so I could rest. And, you know, she couldn't get paid sick leave and it was always a stressful time, as it is for many of our immigrant families because we would basically have to do triage when I got sick. How bad is it? Is it bad enough we could afford for my mom to miss a day of work? Could I go with her to work or take medicine and return to school? The second thing I would want to share is I teach small children, three and 4-year-olds who many of these children, it's their first time in school so they're exposed to a lot of new things. And they haven't built up their immune systems yet so we see a lot of sick children, especially at the beginning of the year and right now with all the flu going around. We have a 24-hour fever-free without the aid of medicine policy so this means being a parent without paid sick leave just became that much harder. It is very common for a child to miss, you know, school on Monday because they had a fever on Sunday and come back Tuesday. And even though they are still not at 100%. We see children come in fine but realize they might have taken medicine because toward the end of the day they are not at their

best. And parents have to do this because like my family, it could mean the difference between paying rent or staying home with their child. Sometimes parents are the only caregivers that these children have. They don't have the resources, just like my family didn't have the resources, and this is a situation they find themselves in. Every situation I have encountered as a teacher is different but here is one thing I've seen that they have in N common. When a child comes to school sick it means they are not ready to learn. They are not at their best and, unfortunately, sometimes it means that because they didn't take the time to rest at home and come back at 100%, they get others sick. Children and adults.

[7:40:19 PM]

I myself am here today instead of at home resting because this is so important to our city, to our workers, to our student, to our families. And I benefit from paid sick leave. So I get to rest tomorrow. But others don't have that opportunity. So everyone gets sick. And regardless of their situation, we must find ways to overcome. But it shouldn't come down to parents having to choose between taking care of themselves or their children or earning a paycheck.

[Buzzer sounding] So I thank you for listening to me and I hope that you make the right decision for all parents and all workers in the city. Thank you.

[ Applause ]

>> Mayor Adler:

[Indiscernible] Should come down to this podium. Ann.

>> Thank you for listening, my name is Michelle Mueller. I run a health club and I'm not going to stand here and give you statistics because they can be interpreted pros and cons on each side. You're forcing businesses to give thousands of benefits to employees. My question is what happens when the legislation taking that away? Who are those employees going to be mad at you, you or me as an employee? You state that a separate ordinance would require temporary employees, city employees, to receive sick paid leave and that's drafted. Why have you not shared that draft to the message board? If you're truly going to abide by the same rules what are you hide further the state constitution states you cannot impose a penalty on yourself so you're passing an ordinance with no oversight to hold yourself accountable. You're trying to rush a new ordinance time without full stakeholder input, without understanding the full impact and zero understanding of the individual businesses in the city, particularly mine one of 33,000. Councilmember Garza, you mentioned a example of how restaurants make adjustments to cover an employee out sick to cover more tables.

[7:42:21 PM]

Did you think about the shift -- did you think about the variables when that person is covering more tables, the tips that they may have lost because they're covered too thin? Did you think about that poor

customer service impact that it has on that business and the reviews that it's going to get for having poor service because that person is too thin, covered too thin for those tables? You yourself said you waited tables so you've experienced that. I run a health club. I can't pull an administrative person to cover a class. They have to be a certified -- they have to be certified to teach a class or somebody to take care of a client that's purchased personal training. They have to be certified. I can't pull an administrative person to do that. That diminishes my conservancy, customer service which affects my bottom line and revenue. Don't you understand the full impact of what you're imposing? The city staff stated they need more time to understand the impact for your employees and requested time to do it. Small business owners as well. They've mentioned the need for more staff, use of temporary employees to implement system limitations and unknown cost impacts. Why are you not listening to your own staff? Your management has told you that you yourself do not have the bandwidth to implement and neither do small businesses. I'm against the impact that this ordinance might have on businesses in general, the city, and the unemployment rate and the unknown variables that Uber not willing to acknowledge. Thank you for listening to my concerns.

[ Applause ]

>> Mayor Adler: I'm sorry, skeeter Miller, you'll be here. Ms. Beeson.

>> Thank you, mayor, mayor pro tem, councilmembers. My name is Ann Beeson, executive director of the center for public policy priorities. We believe in fact based policy solution that's enable all Texans to be healthy, well-educated and financially secure.

[7:44:23 PM]

The ordinance tonight is one of those policies. It's good for workers, good for public health and good for our economy. We're lucky to live in Austin and proud of our city's innovative spirit which attracts businesses and creates jobs but we know we have work to do here to ensure that all of our residents have the chance to thrive. We have too many low-wage jobs with few benefits and that slice of our economy is growing while the cost of living in Austin continues to rise. In fact, more than one in four Austin workers earns less than \$15 an hour, which we all know is far below what it actually takes for families to meet basic needs. And it's not only wages. But a lack of benefits that makes it tough for families to get ahead. Low-quality jobs perpetuate poverty in Austin by paying low wages, failing to provide health or retirement benefits and forcing workers to show up when they're sick or forgo pay. The city council can't fix all of these problems. We know that. You can't raise the minimum wage for workers because the state has prohibited you from doing so. You can't directly address the high number of uninsured people and Texas has the highest number in the country because of the state's failure to expand medicaid but you are creative leaders and you can and you have provided other supports to alleviate the burden on low-income families. Many years ago you partnered with the Travis county commissioners court to create a health care district that provides health care to low-income residents who lack health insurance. More recently you raised wages for the city of Austin's own workers. Tonight you can take another historic step on behalf all working families by adopting this common sense policy to ensure that all workers can earn paid sick days. The economic benefits to workers are substantial for

the over 200,000 hard working austinites who currently lack access to paid sick days. Three days of paid sick time is equivalent to an entire monthly grocery budget for a low-income family.

[7:46:24 PM]

Two days of paid sick time are roughly I want to a month's worth of gas for that family. The public health benefits to our city are substantial as well. Flu infection rates decrease by approximately six to 7% in cities with earned sick days policies. Parents with paid sick days are much less sound likely, as we just heard, to send their child to school or day care when they're sick and paid sick leave would reduce the nearly 2/3 of restaurant searchers and cooks who report they have served or cooked food while sick. Finally the financial benefits of paid sick days to businesses far outweigh the costs and we know that based on good data. In fact a new cost benefit analysis.

[ Buzzer sounding ]

-- Conducted by the institute for women's policy research confirms that. I urge you tonight to exercise the creative leadership and vision we have all come on to rely on and send a message Austin is serious about the health and financial security of working families. Thank you so much.

>> Mayor Adler: Thank you.

[ Applause ] After escort Miller the next person is DNA -- Dan galat. Is Dan here? Dan galat?

>> Mayor, councilmembers, my name is skeeter Miller, I'm proud to say I'm a small business owner and I've operated a barbecue restaurant and made potato salad for 43 years in this city. In order to have ingest you have to be able take care of your employees. I've rented apartments for second chance employees to make sure they had a roof over their head. I put clothes on their backs to second chance employees. In the past six years I've worked on over 13 ordinances with past councils and this council to work on ordinances that work for this city. Some of the ordinances still have taken five years irks like the special events ordinance that is still not getting passed second reading.

[7:48:29 PM]

But you have taken the time to look at those ordinances and make sure that we're doing the right thing. I'm not against paid sick leave. I take care of my employees. The disappointing part is that the business community has not been a part of this. It has been rushed through. Today there has been several changes in this ordinance that have taken place, and the business community has not been a part of that. I ask you to take the time to let the business community work with you on making an ordinance that works for everybody. I feel that we can do that. Thank you.

>> Mayor Adler: Thank you, Mr. Miller.

[ Applause ]

>> After Mr. Galat speaks the next speaker over here will be Carol Huntsberger.

>> Good evening, mayor, mayor pro tem, councilmembers. Appreciate your work and your efforts for our city. I represent [indiscernible] Food co-op, I am of the business community here in Austin, and have been for 20 years, 20 year anniversary tomorrow myself. And I'm a strong supporter of this ordinance. I've been really impressed with the efforts of councilmember Casar and others to craft a fair and reasonable and effective ordinance. Their efforts to bring earned sick pay to thousands of austinites and your passing of this ordinance tonight will be something I think austinites will look back on in years to come with pride because we did something tangible for public health, well-being of workers and in a way that was reasonable for businesses to administer and pay for. Some businesses oppose this. I understand most people don't want more rules to follow, et cetera. But I also hear many of the opposing businesses say that they already offer sick pay. The beauty of this ordinance is that they can keep their current system. There's no added expense or issue for so many of these businesses that say they already offer it. That seems pertinent to me. But, unfortunately, many businesses do not offer it, leaving thousands of people without the coverage that this ordinance will provide.

[7:50:38 PM]

The ordinance gets these folks covered. It ultimately levels the field for businesses, those businesses, those of us that already offer it have had an unfair disadvantage economically. We've been paying extra to make sure our folks have coverage and now everyone is going to need to do that. That just seems fair and right. I really urge you to pass this ordinance tonight and I appreciate all the effort to make this a fair and reasonable process. It's been impressive to me to watch. I've been involved for months and I've appreciated the opportunity to be involved in it. So thank you very much.

[ Applause ]

>> Mayor Adler: Thank you. We'll have [indiscernible] Carol Huntsberger and then we'll be coming over for Luis alavez.

>> Hi, I'm Carol Huntsberger, I own a business here in Austin Texas that's been here for 80 years. I ask each of you to put your phones down and whatever you're doing and listen to what I have to say. What is happening right now with this ordinance is making you look so bad. So bad.

[ Laughter ] Austin, Texas, is a great place to live. A great place to live. We serve a community of people here in Austin at my store, at my restaurant, and we work hard every day to make sure our customer service is the best, the best. My employees, I pay 75% of their health insurance. We're closed on Sundays. We pay holidays off. You're asking me -- you're telling me by doing this how to run my business. How to run my business. Don't do that. Don't do that to all the people in the city of Austin. We are not dumb people. Let the people go to work somewhere. Where they need to be paid that, where they need to apply for a job.

[7:52:41 PM]



Let it be their choice. Let us run our businesses. 80 years in Austin is a long time. Probably one of the longest in the city. I'm not political in any way. I believe in helping people --

[ laughter ] I believe in helping people. I have \$20,000 in loans out right now for my people to have everything that they need. I buy clothes. I pay food. Don't do this. Don't do something without giving us the time, as business people, to do something right and fair. Don't look bad as a city council of Austin. I'm proud to call this place my home, and I'm proud, proud, proud, to help the people that I employ. Stop, look, and listen. Read and understand. If a small business was making this decision from September to today and voting on this, you don't have enough information. Thank you.

>> Mayor Adler: Thank you very much.

[ Applause ] So after Mr. Alaverez will speak on this side we're going to have Carter Hobbs is Mr. Hobbs here? No.

[Indiscernible] Meyers will come to this podium. Yes, Mr. Alaverez.

>> [Speaking non-english language]

>> Mayor Adler, members of the council, my name is Luis alaverez, I'm a construction worker and a member of the workers defense project. First I want to thank the mayor and councilmembers for supporting working families with this resolution.

[7:54:51 PM]

>> [Speaking non-english language]

>> The construction industry is one of the

[indiscernible] In our country. One worker dies in Texas every thee days. One in every five workers are victims of wage theft. The working conditions are extreme and unsafe and abuse is rampant.

>> [Speaking non-english language]

>> My story is like that of 70% of the workers in the construction industry is that do not have access to paid sick days. Many of the times when we get injured or when we are sick we have to go to work because our families are depending on us. We have to decide on paying the rent and providing for our families or taking care of ourselves or our children.

>> [ Speaking non-english language ]

>> For months I've worked on this campaign, taking part in the stakeholder meetings because having access to paid sick days in some cases can be the difference between being able to return to work after an accident and because no worker should have to choose between paying rent or taking care of their children.

>> [ Speaking non-english language ]

[7:56:59 PM]

>> The women and men who built this city deserve to be able to take care of ourselves and our families. Construction workers face several barriers in this industry such as being victims of wage theft and workplace accidents which in most cases we have to return to work injured or sick because because we do not have workers' compensation or access to medical care and this increases the chances of suffering from a workplace accident.

>> [ Speaking non-english language ]

>> For all those reasons I

[Indiscernible] Vote in favor of the resolution since voting in favor of this is a vote for all families in Austin. I ask that you pass this ordinance today. Thank you so much for your time and all the work you do for the community.

[ Applause ]

>> Mayor Adler: Thank you.

[Indiscernible]

>> Mayor Adler: Sis Myers, come to this podium. She still might be writing a little bit. You'll speak, then to this podium will be Jessica -- Jessica mille. Mille, you'll be next. Ms. Myers.

>> Okay. Here we go. Well, okay, I can't pull up what I was going to say, and I need my paper, so I'm just going to have to wing it. My concern is the way the process has worked. I think that there is some concern about the fact that this has been a very fast track sort of a situation. My concern is, when I look at the backup material for this agenda item, and I look at the people that support it, most of the people that support it are.

[7:59:05 PM]

Of the 21 organizations. Over a third are democratic organizations. Many more are also labor organizations. I don't see the letters from the chamber of commerce that have been submitted. I don't see the letters from my CEOs that I have copies of, with their labels on, and their general counsels, saying they have issues with this. And so I'm concerned that it's sort of a one-sided thing that you're getting. I'm concerned about the time and the quickness that this has been put out there. I'm concerned about the fact that the business community is pretty much 100% against this. And so it seems to me that perhaps the ordinance now in its current state is, I think, more improved in the third version, which was made public at about 2 o'clock this afternoon, and the first -- and many people haven't seen it because

they weren't around at 2 o'clock this afternoon, and they didn't have access at 2 o'clock this afternoon. Maybe they haven't seen it yet. It is a much improved ordinance, but I'm not sure that it's had the proper discussion. So again -- and the other thing that concerns me is affordability. You, up on the dais, talk about affordability all the time. All the time it's every council meeting, we talk about affordability. What do you think this does to affordability? Everything you do, every fee you pass, everything you pass on permits, everything like this, every regulation, it adds to affordability. And this certainly adds to affordability.

[8:01:07 PM]

In the restaurant industry, margins are very small. In the taco bell industry, on a taco, the margin is a penny. Do you know how many pennys it takes to pay for this? More than they'll make in a day, for sure. So there's no economic -- there's no economic analysis, there's no cost/benefit. When I look -- I mean, and so those things are of concern to us. We're not against sick leave. We're not against vacation pay. We understand people have problems.

[Buzzer sounds] That's it. The buzzer's off. I'm done.

>> Mayor Adler: Thank you.

>> But we would ask you to take a look at these things.

>> Mayor Adler: Thank you.

>> It's not the way to pass public policy. Thank you.

>> Mayor Adler: Thank you. So after Jessica mille speaks, then at this podium we would have Sharon Watkins. In the Milly.

>> Members of the city council, thank you for the opportunity to address you today. My name is Jessica Milly. I'm a ph.d. Economies and instructor for women's industry policy research. The institute conducts data analysis and communicates its research to inspire public dialogue, shape policy, and improve the lives and opportunities of women of diverse backgrounds, circumstances, and experiences. As part of this mission, iwpr has been conducting analyses of worker access to paid sick days and estimating the costs and benefits of proposed policies for over a decade. Our methods have been developed by ph.d. Economists and refined over more than ten years. Our methods as a non-partisan organization, iwpr ensures the Independence of its research through rigorous internal and peer review processes, and our paid sick days models are based on peered reviewed and have themselves been peer reviewed.

[8:03:12 PM]

In Austin specifically, iwpr released a report in 2017 which estimated worker access to paid sick days in the city. We found that approximately 37% of all workers in the city lack access, and that low wage

workers working in occupations requiring frequent contact with the public, such as food preparation and serving, are disproportionately unlikely to have access. Iwpr also just released a report estimating the cost and benefits of the council's proposed paid sick days law. This estimate is again based on rigorous economic models developed and refined over a decade specifically to estimate the costs and benefits of these policies. We estimated based on census division level data from the national compensation survey applied to the Austin workforce that approximately 87,000 workers currently lacking paid leave benefits of any kind would be eligible to receive new leave under the proposed ordinance. This accounts for the fact that some employers will restructure their existing leave policies to include the use of paid sick days, therefore, incurring no additional costs. Further, we estimate from the his data at the census region level that workers with access to paid sick days will take an average of 2.7 days of sick time annually for their own health, family care, and doctors' appointments. All told, we estimate that the employer cost of providing paid sick days is about 34.3 million, or 21 cents per hour among workers who currently lack paid leave of any kind. And these estimates are in agreement with data from the national compensation survey, which estimate the cost of providing paid sick leave among employers that already do so is about 22 cents per hour in the west central census division, which Texas is a part of. Monetary benefits of paid sick days policies --

[8:05:13 PM]

[buzzer sounds]

-- Are less straightforward to quantify, but iwpr indicates that there is a substantial savings as a result of the proposed policy --

>> Mayor Adler: Thank you.

>> -- Amounting to about \$8.3 million per year.

>> Mayor Adler: Thank you. Thank you very much. You can give her a one-minute donation. Would you come down and give the clerk your name?

>> Yes, sir.

>> Mayor Adler: You have an additional one minute.

>> Okay. So we estimate a net savings of \$8.3 million per year, about 4.5 million of which represents a net savings to employers. We also know from existing research, because we have 41 cities and states across the country that have already passed and implemented paid sick days laws, we have research indicating what the impacts have been in those places that have implemented. And we found that the cost of implementing paid sick days in those areas has been relatively low. In Seattle, we found that the cost was about .4% of total firm revenue per year. In Connecticut, nearly half of employees surveyed reported having no decreed cost as a result of the ordinance. And in San Francisco, six out of seven employers reported no adverse effects on profitability. So given iwpr's findings in Austin and the evaluations done in locations that have already implemented paid sick days policies, it's expected that the law in Austin would produce a substantial benefit. Thank you.

>> Mayor Adler: Thank you very much.

[Cheers and applause]

>> Mayor Adler: After Sharon Watkins speaks, then Tyler Jordan will come to this podium.

>> Casar: I just wanted to ask one quick question.

>> Mayor Adler: Go ahead.

>> Casar: Thank you. Just to be clear, some folks have raised and said that some of the studies that y'all have produced do not utilize local data.

[8:07:19 PM]

Can you confirm for us that your data is indeed local and that y'all are indeed an independent, non-partisan organization?

>> Sure. So with regard to paid sick days, access, and usage data, there is no data source that is available that will give us information on worker access at the city level. So what we do is model that access and usage based on regional data that's publicly available. And we apply those models to the Austin workforce in the American community survey data. So we get the estimates of worker access and reweight them to the Austin workforce, specifically.

>> Casar: [Off mic]

>> Sure. I already mentioned in my testimony, but all of our research goes through extensive internal and external peer review to ensure the highest quality standards. So our research methods for evaluating the costs and benefits of paid sick days has been peer-reviewed by experts in the labor policy field, and we've been researching in this area for over a decade. And the research that we and others have conducted in locations across the country consistently finds that there are substantial benefits to paid sick days policies, and that the benefits generally outweigh the cost. And so the overall consensus in the eleven literature is that paid sick days make good policy sense. And so, to me, that's not really bias. We are coming at that from examining all of the research evidence and drawing conclusion with ever from that overwhelming evidence.

>> Mayor Adler: Thank you very much. After Ms. Watkins, Tyler Jordan will be at this podium.

>> Mayor?

[8:09:21 PM]

>> Mayor Adler: Yes. Go ahead.

>> Troxclair: I was trying to write down as you were speaking, one of the things that you said was, I think in Connecticut, one of your studies found that nearly half of the businesses had no increase in their expenses.

>> Uh-huh.

>> Troxclair: Am I right to assume that means over half of the businesses did have an increase in their expenses?

>> I cut out some of my text because I was out of time, but 19.1%, an additional like 20%, reported an increased overall cost of less than 2%. So the vast majority of employers saw little to no increase in costs.

>> Troxclair: Okay. I guess I'll have to see it in writing because I don't -- those two statements don't combine to make 100%, I guess, but -- and it looks like on the -- you know, the first chart here, from your report, it says, quote, while data are currently lacking to calculate the full economic impact of having access to earned sick time. So I just -- I don't -- again, it seems like your report and writing says that you aren't able to quantify the full impact of that. And I also wanted to ask you, have you had a chance to review this letter from the professor of economics at saint Ed's from Dr. Alidant in her.

>> So addressing your first comment, the benefits that we're not able to estimate in our research are on the benefits side, so the costs are relative straightforward to figure out, but we're talking in that statement about things like what happens if a worker comes into work sick and they injure themselves. It's really hard to quantify the economic cost of, say, losing a finger.

[8:11:24 PM]

And things like if we were to give workers access to paid sick days, that's additional money in workers' pockets that they're able to then go and spend in local businesses. So we're not able to capture that multiplier effect. On the cost side of things, we're relatively certain that that's going to be around the right number.

>> Troxclair: Okay. Have you had a chance to review the letter from the local economist?

>> Very briefly. And what I would say is that looking at his CV and his publication history, he doesn't really have a background in the specific labor policy issues that are relevant for this particular policy. And in particular, his publication history is not focused in the U.S., per se. And so we have labor economists work at iwpr who have been working on this issue for decades, and so I firmly believe that our methods are sound and there's not a need for an additional analysis.

>> Troxclair: Yeah. I'm sure you do. Just so you know --

[laughter]

-- It does say, he is a professor of labor economics, here, and he studies economic -- he has studied the economic impact of the Austin marathon, so it sounds like he does have some expertise in that. I just thought I would share a couple of things from his better.

He says: I feel obligated as an academic and as a citizen to share the following points. The provided fact sheet refers to the existing research generalizing the conclusions. However, these studies use strict definitions and assumptions, in most of these articles the authors emphasize they have excluded part-time workers and seasonal labor force from their analysis. Thus, the conclusions are limited to a very specific segment of the labor market.

[8:13:27 PM]

Generalizing their conclusions to the whole population is neither technically correct nor academically warranted. And he goes on to see this means aggregating data between Austin and other cities is not technically possible and will result in distorted results, and he does offer to help us provide the economic analysis that so many people in our community are asking for. Thanks so much.

>> Mayor Adler: Thank you. Thank you very much. After Ms. Watkins speaks, then Tyler Jordan, if you want to step on up to the podium.

>> You all asked me a lot of questions. I'll just stay here and give you a lot of answers. Good evening. Good evening to everybody here. I'm happy to be here with all of you regardless of the side we're on. That's why we live in Austin, Texas. So thank you. A party without cake is just a meeting, and a meeting without cake is just a meeting, so I'm pretty sure we're having a meeting. I'm Sharon Watkins, and I have had the joy and privilege of being the owner understand a operator of shayzee American bistro and I make cake for a living. I also run my business on the idea of visioning. And visioning for me is inspiring and physically sound. And when I looked at this ordinance, it wasn't very inspiring. I was told I'm unjust, I'm detrimental to the health and safety and welfare of the residents, and that I'm harping the local economy. Made me feel really bad. Then I couldn't find the physical soundness, the physical soundness in the ordinance. The text is vague, the organization, the operating principles, I don't know how they fit with my employment practices, my procedures, and my policies. And here's what I saw. So let me just invite you to spend Sunday morning with me at 8 o'clock, and at maybe 7:55, a cook has called in sick, a bartender has called in sick, a hostess called in sick, maybe a pantry person has called in sick, and maybe three servers have called in sick.

[8:15:39 PM]

It could happen. I probably have 25 or 0 people 25 or 30 people Sunday morning for Sunday brunch. My recourse is to say okay and pay. The people calling in sick can be sick. They can be having a mental illness day. They can be having a friend having a mental illness day. Sunday morning at 8 o'clock, I bet there's a lot of mental illness going on in Austin, Texas. I have to just say, okay, and pay. I'm also having a bad day because probably what it really means is, I can't run the shift. So the very people that were supporting and wanting to pay for being sick, regardless of their reason for being sick, I now am jeopardizing the other people with jobs because I may not be able to run the shift. So ongoingly, because of the unemployment in Austin, Texas, this may be a really difficult issue, and it may be one of

the unintended consequences of this particular ordinance. I love this city. I came to stay. I came to play. And I'm here to help make this work for everyone. But in this form, I think it doesn't. And I request that we work on it together and that we make it a better ordinance for the whole range of businesses in this community, and I hope that you agree with us. Thank you.

[Buzzer sounds]

[Applause]

>> Mayor Adler: One second here. So Tyler Jordan. So the next speaker on this side will be Nolan Gore. Is Nolan Gore here? You'll be up here. Sir.

>> Good evening, mayor, mayor pro tem, and city council members. My name is Tyler Jordan. I'm an employee of

[indiscernible] Cafe. I'm a local musician and I'm a constituent of district 1. I'm here today to ask you to pass this item with no postponement or delay, no exemptions for small businesses and no probationary period for the worker.

[8:17:48 PM]

It felt especially important for me to be here today as the CEO of the company I work for came out against this ordinance in the statesman a couple of weeks ago. I don't have the same kind of access to the press so I had to come down here in person to be heard. As an employee for the cafe for the last seven and a half years, I've witnessed the current sick policy being a disaster of huge proportions. Front of house and back of house employees alike are required to get a doctor's note if they miss a shift of work. That means not only do we not get paid for the shift we missed, we also have to bear the expense of going to the doctor almost out of pocket. This has the effect, over and over again, of sick employees coming to work in food service because they can't afford to take the time off. During cold and flu season, this often snowballs and many servers and kitchen workers get sick over the course of two or three months, all at once, all of them showing up to work while having contagious illnesses. I shudder to think at the thousands of customers at our restaurant alone who have probably gotten sick because of this. Passing this item is so, so important for public health alone. I've also been disturbed by op Ed, after op Ed, and tonight business other than after business owner of overrepresented business owners talking about this ordinance. You'd think they were all destitute, struggling from paycheck to paycheck to survive. But the workers who need this ordinance to be passed are the ones living that reality every day. I must have spoken to a dozen other employees at my work understand and I was only able to convince one other worker to show up here today with me. Everyone I spoke to felt betrayed by their own CEO and wholeheartedly agreed this passing would affect them positively. But they didn't show up because they were afraid they might get fired or face negative repercussions for coming to testify. They wouldn't make ends meet if they lost their jobs. That's the fear those employees face every time they get sick. Please don't ignore the power dynamic at play here.



[8:19:50 PM]

That's why it's so important for me to be here today to give a voice to workers who couldn't be, but wanted to be. A few of us, like the CEO of my company, are born to inherit a successful restaurant chain and can take off any time they want when they get sick without the fear of not having enough money to just get by. But the rest of us don't have that luxury. As this city gets more and more sensitive to live in, we're relying on you to take up for us. That's why I ask you to pass this ordinance without delay. Thank you.

[Cheers and applause]

>> Mayor Adler: If we can -- we still have -- we still have, like, 200 people to speak. Let's keep trying to get through them just as quickly as we can, please. Nolan Gore speaking, then back on this side it's going to be Amanda May. Is Amanda May here?

>> Yes, Mr. Mayor.

>> Mayor Adler: You'll be up next. Mr. Gore, you have three minutes.

>> Mr. Mayor, city council members, I was born and raised in Austin and now run a small lawn care business in south Austin. I have to admit that this process has really challenged the way that I look at my own political philosophy and the way -- the rule of government, the way I view the rule of government. I'm typically fairly libertarian, which means this is a kind of thing I would generally not agree with, but in the process of having lots of conversations with friends and family, employees, coworkers, I really -- it really challenged that belief that I have, challenged the -- I began to see that this could really benefit the workers of our city. But ultimately what I decided to do in resolving that conflict for myself was to talk to the employees at our company, the lawn care employees, many do not have paid sick leave.

[8:21:56 PM]

Some have paid time off, but not all of them, and explain to them -- they understand this has an economic impact. We had a conversation about what kind of economic impact that could have, and I tried to make a simple conversation that we could have that we could discuss the increase of pay, versus paid sick leave. So we said, look, we don't know exactly what kind of raises we'll be able to give next year, but say it's 25 cents. We're very aggressive in our hiring and start generally around \$15 an hour. Let's say it's 25 cents, hopefully more. Let's say it's 25 cents. The city is considering five paid sick days, because it was before three weeks ago when this came out. I said would you prefer a raise of 25 cents without paid sick leave, or would you prefer paid sick leave without that raise? Because ultimately there's going to have to be -- there's only so much that our company can afford. And I was surprised by the results. I thought it would be about 80% would rather the cash instead of the paid sick leave. And, in fact, it was only 60%. And 60% of them would prefer to have increased the pay, as opposed to the paid sick leave. And that was a unique thing for me because it gave me the opportunity, if this does not pass, to give that 40%, the paid sick days, and give that 60% the increased cash. But, if you choose to pass this,

what I'm going to have to do is look at that 60% understand a and say, I'm sorry, we can't give you what you have wanted. The city council has told you what is good for you, they think the best for you is to have paid sick days. We can't afford as a company to give you as much in cash take-away, like you would prefer. So I think there's some really unintended consequences here. I've come to the point philosophically in this that I'm really -- I believe I'm genuinely defending my team, that they know what they want, and this is the kind of thing that --

[8:23:59 PM]

[buzzer sounds]

-- Will be better if you let the businesses and the employees decide how this works. Thank you so much for your time.

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

[Applause] So after Amanda may speaks over here, Rebecca melason will speak over here. Ms. May.

>> Okay. My name's Amanda may. I started the purple

[indiscernible] Ecocleaning company about ten years ago. We're a cleaning company. We do residential and commercial cleaning. I think a lot of people would see this as an entry level job that you have when you're -- here in Austin we have a large service industry so we're just part of that service industry, but this isn't just another service industry job. It is -- I see my job in this, owning this business, my job is to create quality employment. So in doing that, I'm able to reduce turnover. My employees have 401(k), ppo, with a \$500 deductible that they pay about \$90 a month for, paid dental, vision, pto, all of these things that so many people are saying are impossible. I mean, my health insurance -- like if we want to get into a real discussion, my health insurance is probably 8% of my monthly revenue. But that's not why we're here. Employees, knowing that they have sick leave, they, as well as other benefits, they want to come to work. My employees don't call out because they are having other things going on in their life. My employees want to be there. So that is maybe different than other small businesses that have expressed concerns over this. So my employees want to come to work. So we are a community. We are a team. They know that I am taking care of them. They feel supported. If you miss, then you're letting down the team and other people have to lift you up, and that's fine.

[8:26:02 PM]

They're going to be sick or something is going to happen, that's what teamwork is. As a small business, I have offered many benefits well before I could. We're ten years old. We probably got into the black about five years ago, which has been great, but I think if you start offering these things from the very beginning, you never feel a hit. It just is part of what it is. Austin can afford it. Austin is booming. Austin - I'm able to charge -- my charges are not on the high end. We're a cleaning service. We do organic,

natural cleaning, our clients love what we do. You can read about it on yelp. They love that it's women--owned, but they love it's natural. You don't have a sick employee in your home. Do you want a sick employee making your food, working in your home? No, you don't. And my clients recognize that. And I think this is a case point that Austin can afford. And this is what austinites want. So I'm here to say that Austin can afford it, and I'm not super big on the policy side, I don't exactly understand all the numbers and whatnot, but my numbers make sense. And if anyone has any questions or if you want to read them in your P & L to make sure how this happens, my degree in accounting, that's the background I came from in starting this, I cleaned --

[buzzer sounds]

-- For three years before I hired in I employees, so I've done it all in my business. So if anyone needs help figuring out how to make it work, just cruise your P & L and you'll find what you need to find.

>> Mayor Adler: Thank you.

>> Thank you so much.

>> Mayor Adler: At this podium, we have the very last of our ten speakers, it's going to be Sheri Connor. The last on this side is Sheri Connor. Is Ms. Connor here? Sheri Connor? She might be outside. If she is, she needs to work her way in.

[8:28:03 PM]

Ms. Maleson.

>> Thank you. Rebecca maleson, executive director of the Austin independent business alliance. We represent over 800 locally owned businesses. The really sad part about what's happening today is that we had an opportunity in our community to do something amazing that would have helped local business, small business, and employees. This has been one of the most divisive issues I have seen, and as you know, I've been haunting these halls for a good ten years. I'm really kind of appalled by the process and where we are now. Representing local business, we're not Walmart. These aren't people who are the top five richest Americans. These are small businesses. These are mom and pops. These are entrepreneurs. We look at this situation and we want to know who the workers are because we feel like we are the workers. The employees that are -- that these businesses have, half of them are not even employees. They're the team. A lot of local businesses see their employees as their family, and this they take really good care of them as you've heard tonight. Is that everyone? No. This is a problem in our community, a problem that needs to be addressed. But what this ordinance is really doing is shifting the pain of that problem from one set of our community to a whole different set of our community. It's not fixing the problem. I have a list which you have, too, of 137 local businesses that are against, not workers, not paid sick leave, but this policy in particular. First choice energy, 5,000 burnet, academy of hair design, laser, Phil's lighthouse, Amy's ice cream, Austin clubhouse, Austin K nine central, Austin gift company, Austin rocks, Austin slow burn, better's barber shop, book people, CIA management services, caper, captain hook, Kathy's clearance, carousel lounge, celebrate Austin, Charlotte's fiesta flowers, American bistro, China town restaurant, Clark Kent plumbing, easy tours, he done fest, eye physicians of

Austin, flood hammer media, fly right chicken, forbidden fruit, Frisco shop, furniture markets gold standard floor care, Gordo's house, greater Texas water company, taco bar, hat box, hot house, Hoover's cooking at night, fitness, in step, jack Allen's kitchen, [indiscernible]

[8:30:49 PM]

One in a million restaurant, casden, [indiscernible], Krueger's diamond jewelers, kutx radio, massage school, law offices Alberto Garcia, lgk enterprises, limbo jewelry --

[buzzer sounds]

-- The list goes on and on and on and on. Thank you.

>> Mayor Adler: Thank you very much.

[Applause]

>> Mayor Adler: What we're going to try and do if we can, I really need your help, we're trying to create in this room as safe a place as we can for people to be able to express what they think on both sides of this issue. It would be really -- I need your help with that. The speaker on this side, the last of the three-minute speakers we have up now, Sheri Connor, speaking, and then on this side it's going to be Christopher Covo. Is Mr. Covo here? You'll be up on this side. Three minutes.

>> Hi. My name is Sheri Covo and I live at [indiscernible], Austin, Texas, north. I work at embassy suites Austin central north. I am here to submit my testimony in hopes that the city council votes in favor of me being a living witness of being sick without pay. It's been three weeks I've been out this year, for being sick. They had let me go because I had a toe issue. Last year I had a heart attack behind the toe removal, and I was out for seven weeks -- seven days. Right after I went back to the -- from the hospital, I was back at work the next day because I had to pay rent, bills, I had to live. A little bit after that, right before Christmas, I had a stroke, and my -- my sickness is chronic. So I have heart problems. Today, just recently, the end of January, going into February, I was told to leave work because I was hurting.

[8:32:50 PM]

I had to heal. I've not healed since this has happened to my toe. I have -- they want to amputate my leg. And that is not anything -- I'm fighting for that right now, as I speak, but I can't do it because I have no money to pay for anything. My insurance is almost out because I haven't had work. So I am testifying in favor of Casar's proposed ordinance for paid sick leave for all workers in Austin because it is hard when you can't do nothing, and you're used to working every day, and then this just happens out of the blue, it just happens. I'm 40 years old, it happened since last year, I just turned 40. The only way I've been surviving, my roommates have been coming together and helping me. They get together, it's hard for me to walk at times. I can't walk far, my legs go dead. When I'm laying up at night, it hurts. I am in the process of talking to vascular doctors and everything but we have to make sure my insurance is good. So

I'm just asking that you guys will properly help us and let this go through because it is a -- it's really hard, you know. And it's not -- I've heard all the moments and the anger, you know, yeah, if you're an employer, you should get a doctor's note. That's where I get mine. And it's hard. It's hard out there when you have all these health issues at the last minute, you don't know where they come from, because you can go at any day. I'm done. Thank you.

>> Mayor Adler: Thank you very much.

[Cheers and applause]

>> Mayor Adler: Christopher covo. Mr. Covo, you can speak. Bow [indiscernible] Come to the podium over here. Beau here one minute. Go ahead.

>> Thank you, mayor, thank you, council. I run a very small window cleaning company here in town. We employ about eight people, great hard-working men and women. Our starting wage is \$15 an hour. We're very proud about that.

[8:34:50 PM]

This city is booming. This economy is growing. And because of that, fine quality work, finding the labor we need to execute our job -- and this is just a window cleaning company -- is incredibly hard. If one person is sick and we take care of our people, of course, if one person is sick, then that labor, that day of work, makes that day longer for the small business, the small window cleaning team that's trying to make a mark and help this economy grow every day. That's just one example. All -- and around all of Austin, small businesses are five, ten, fifteen people, trying to make things work. And so I ask you, please consider, please take time to think about the economic impact of this ordinance. As you know, with the labor market the way it is and the competition to employ people, we believe, because of that competition, labor wages are going up, competitive packages to take care of employees so you can continue to recruit and keep people in your business and grow, is happening, and if you put this ordinance into effect, you are going to hurt, financially, the small businesses that are trying to grow in this city. The big businesses, the corporations, the large ones, they're going to be okay, but the ones that employ part-time labor, folks that are working four to six hours, are going to really struggle. It's going to be a very serious economic impact. The problem with that is that now, to Nolan gore's point earlier, raises, it's going to be really hard to talk about those. And we want to give raises with the market the way it is, quickly, and fast. But now, we've got to consider this labor -- this financial burden that we're going to feel and we're going to see. And so please, I urge you, consider the economic impacts involved, the small business owners in Austin who care, love -- care and love for this city and the people that we employ, and work with us to find an ordinance that allows us to do this well and is not forced down -- is not forced to happen so quickly, especially considering many of the changes that were made today.

[8:37:01 PM]

Thank you so much.

>> Mayor Adler: Thank you. Don dyer is going to be going to that podium. Beau, you speak, when you're done, taking your place at the podium will be Joe Hernandez. You have one minute.

>> Mayor, can I ask a quick question? We just had a new copy of the ordinance handed out and I'm not sure what the difference is. Can you tell me?

>> Casar: There was a typo, I think, when it was getting run through the law department, if you look at page 9 of 10, June 1st, 2019 is supposed to just say June 1st 2019 in both places. I think that one accidentally said October when it meant June.

>> Troxclair: Okay. Thank you.

>> Mayor Adler: Okay.

>> Mayor Adler: Mr. Delp is going to speak. After Mr. Delp, Mr. Hernandez is going to go to that podium. Go ahead.

>> [Off mic]

>> Mayor Adler: To who?

>> Mr. Delp.

>> Mayor Adler: Come down to the clerk. What's your name?

>> Robin --

>> Mayor Adler: I'm sorry, I didn't see you.

>> Thank you, robin. All right. Just a couple of things, first of all, thank you so much, mayor and council. We are on the cusp of history here tonight and I'm so thankful to be in this room with all of you as we consider this important decision. I wanted to just start with something I think is kind of important. I've heard some businesses, the chamber, talk about the importance of an independent study and they've sort of touted this letter from St. Edwards, a very impressive economics professor, Al dadpe. I got curious who this person was and started looking him up, looked on my phone, looked up his name, and lo and behold, he's an executive member of one of the local chambers of commerce. Not exactly the kind of independent study that the city would want to depend on when it comes to supporting working families. Let me say a couple other things that I've heard in the room today. We've heard a lot from businesses that talk about being supportive of paid sick days in theory, and in principle.

[8:39:07 PM]

They're open to the concept. My concern is that being supportive in theory doesn't slow the spread of influenza. Being supportive in principle does not allow a parent to stay home to take care of a kid. And they tell us that they are best situated to set working conditions, but the reality is the market has set most working conditions in this city for a very long time, and we are the most economically segregated

city in the country. So we are asking y'all to join us to do something about it. Let me also say that we've heard from businesses that have talked about how much they have done for their workforce. Let me be honest. Their generosity is laudable. But, we have to ask, if working conditions were better, would their patronage be better to begin with? We believe people deserve access to paid sick time so they don't have to depend on the kindness of their employer for loans. Let me final ever finally say the Texas public policy foundation have carved out their position. They want you to oppose this ordinance. We are asking you to stand with us against those forces to ensure that individuals have access to paid sick time because I will finally say that paid sick time is an extension of so many labor rights that we have fought for in this country. Actually, ending child labor was pretty controversial, as was the minimum wage, as was overtime law. There were entire campaigns run to end social security. It was controversial. But we know it was the right side of history and the right thing to do, and we are asking you to join us to pass this ordinance today. Thank you.

[Cheers and applause]

>> Mayor Adler: I put some extra time on on your deal, you had an additional person who gave you some time.

[8:41:17 PM]

I'm going to call multiple names so people can line up, since we're at one minute, so we can move forward and hopefully get people home earlier than 1 o'clock. So Mr. Hernandez is going to be speaking here. After Mr. Hernandez, lining up behind hip, I'd like to have Nakia Winfield and Courtney sagatfera. Come on down and do that we'll try to run three. This is don dyer. After Mr. Dyer, is gust peña here? You'll be up next. Then Frankie Calhoun. Is from Calhoun here? Mr. Calhoun? No? What about Nakia Winfield? We called her up. Thank you.

>> I'll speak twice.

>> Mayor Adler: James Cole, is James Cole here? James Cole? Yes? You'll be the third one up, back up here, sir.

>> How you doing? My name is big Joe Hernandez. I'm the presents electrician with the international brotherhood of electrical workers, local union 520.

[Cheers and applause] A couple weeks, few months ago, I hurt my foot, couldn't go to work, called in, had plantar fasciitis, whatever it's called, it hurt. Couldn't work. I had to sit out of work. It's just me and I take care of my 90-year-old great grandmother. It was just us too. Obviously she don't work. It's up to me to take care of business. I couldn't do that. Just one day of work hurt me. I had a utility bill coming up to \$600 a month, with my other bills, that hurt me. Just the other day, he came down with the flu. Foreman told him, do not come to work. Do not come to work if you've got the flu. This would be right if we had paid sick time, but we don't. We're missing out on money. We're missing out on being there for our family and trying to be able to take care of them. This is a right that we do not have right now in the city of Austin.

[8:43:18 PM]

And we can make it happen. We can, y'all can, all of us can.

[Buzzer sounds] I see that list of a hundred and something business owners did not raise it to 200,000 plus people that don't have this right now.

[Cheers and applause]

>> Mayor Adler: Mr. Dyer. Mr. Dyer.

>> I'll limit my remarks to a couple of questions since I only have a minute. What is the current sick policy for the city of Austin right now, paid sick leave? None of y'all know?

>> Mayor Adler: We know, but it's your opportunity to talk to us.

[Laughter].

>> Well, as a citizen, it's also my right to ask questions.

>> Mayor Adler: You can ask questions.

>> My question is, do you intend to enforce this same ordinance on the city of Austin? Because according to this latest -- latest revision of this document, the city of Austin is exempt from this ordinance. Why is it unjust for private employers to not pay sick leave, but it's not unjust for the city of Austin?

>> Mayor Adler: I'm sure that will be covered later when the council is discussing this.

>> Okay. Well, if you vote for this ordinance as it's written right now, today --

[buzzer sounds]

-- You are exempting the city of Austin, so you're exempting your own employees to be entitled to eight paid sick days.

>> Mayor Adler: Thank you, sir.

>> Thanks.

>> Mayor Adler: Please introduce yourself, you have one minute to speak as well.

>> Mayor.

[Multiple speakers]

>> Mayor Adler: Hold on.

>> Casar: One second. Just because the question was asked, I intend, and I think this dais intends, to make sure that on October 1, when this is effective, that we have this ordinance apply to private employers and that we do the exact same for every single person that works for the city of Austin.



[8:45:24 PM]

I've been a -- I've been a long-time credit of the way

-critic, that's why this council were the first ones to provide living wages to our temporary employees, stop cutting them out. Last budget we stopped cutting out temp employees and said they need sick time. The co-sponsors now have a resolution to make sure that after this passes tonight, that the city of Austin will live up and do this exact same thing.

[Cheers and applause]

>> Casar: Now, I know the question had been asked by many folks, we've tried to repeat it in work session after work session after work session, and the ordinance says that this law does not apply to agencies that cannot legally be regulated by city ordinance, which our government agencies can't be regulated by an ordinance. That is for private agencies. However, the city should still live up to that commitment, and as soon as we pass that ordinance, we will have a vote that I'm sure will be close to unanimous to give every single person that we have control over their working conditions in the private sector and at the city, paid sick leave.

>> Right on.

>> Casar: Paid sick leave. Thank you.

>> Good evening. My name is Nakia Winfield. I'm an advocacy for the women services Texas chapter. I had things laid out to say, I understand I have one minute instead of three so I want to respond to a couple things other folks said. Somebody said that the ordinance was too short. That's not a good reason to reject it.

[Laughter]. The first amendment is also pretty short, but it seems like it works out pretty well, so I just wanted to say that. There were -- I've been to the listening circle, there were three of them, and the city -- the business owners, as well as citizens alike, were able to contribute as much as they wanted to and be heard on both sides. For those listening circles, there was a lot of, oh, well, we're very benevolent owners, and we take care of our employees.

[8:47:32 PM]

I feel like that's great but all city employers do not do so. Also, when you are making decisions with no oversight, and no accountability, then your -- your decisions become biased.

[Buzzer sounds]

>> Pardon?

>> Mayor Adler: Please give your name to the clerk.

>> That's where biases come in. All of us have biases, unconscious or conscious. Texas has a really long history of racism, and I'd like that not to be a thing we have to deal with in Austin when we're talking about something as basic as being able to go see a doctor when you're sick or stay home with your family when they're sick. Those are mostly the things I wanted to say, so thank you for listening.

>> Mayor Adler: Thank you. Mr. Peña.

[Cheers and applause]

>> Mayor Adler: After Mr. Peña speaks, I would like to have coming down here, David Pinkham, and ashkahn. Mr. Peña.

>> Mayor, good evening. My name is Gus Peña. I'm co-founder of veterans for progress, 7552. All my veterans say we are for this new sick leave pay. We don't want any more debate. It should be a fundamental right to have sick leave. This is my son. He works over there at the airport. He was the one that came out in Kvue, also the newspaper saying the sky

[indiscernible] -- He was sick a week and a half, an extended illness what a. To a tolerable inconvenience, but Peña is one of the workers in Austin 30% of the city workforce do not get paid time off. What happens when he is ill? His child -- she has health care, but she does not get the food she needs, the nutrients. What happens when I get sick? I can no longer help him, or baby Sophie. My wife and baby Sophie, his daughter, are watching right now. Lucille's boss is Darnell, works over there also at the airport.

[8:49:34 PM]

[Buzzer sounds] Fundamental right to have sick leave, we demand it for the people that need it. We don't want anybody to die.

>> Mayor Adler: Thank you very much.

>> Okay?

[Cheers and applause]

>> Mayor Adler: Please state your name, you have one minute.

>> Mayor, I'd like to donate another minute.

>> Mayor Adler: One minute to Nakia Winfield?

>> Courtney.

>> Mayor Adler: Courtney? Okay.

>> Mayor, mayor pro tem, and city council members, my name is Courtney Sigtfery, I'm a graduate student at Columbia university and proud member of Austin DSA. I'm also a constituent of district 7. I'm here to ask you to pass this item today with no postponement or delay. My story concerning paid sick

leave began in 2011, when I was working 30 hours per week at Barnes & noble at a temp while obtaining my undergraduate degree. I was also stuck in a physically violent relationship that took a toll on my emotional health. Subsequently, I couldn't concentrate on my work and was not as productive as I could have been. And I got sick a lot, due to the stress. I probably got a lot of others sick at this time as well because I interacted with hundreds, possibly thousands of people during the holiday season and exchanged money with them. I consider myself lucky because I was able to leave the relationship and become a credentialed advocate for other survivors of domestic violence. I learned through my advocacy efforts that the cost of domestic violence is \$700 million per year, and about 8 million paid workdays are also lost per year, including at small businesses. Accordingly, it makes perfect sense to pass this paid sick leave ordinance as it is so we can contribute to lowering the astronomical amount of work productivity, monies that is lost due to domestic violence, which would save employers money, and most important, protect a population of vulnerable workers that oftentimes need their jobs and leave to be able to free themselves from their abusers.

[8:51:48 PM]

Thank you.

>> Mayor Adler: Thank you very much.

[Cheers and applause]

>> Mayor Adler: At this podium, at this podium I'd like to have Nicole Sturm come up. And Steven -- Nicole Sturm, mark McCartney, and Sam Bien Kelly. Please introduce yourself. You have one minute.

>> My name is Ashley. I'm a senior at Austin high and constituent of district 9. I believe it is immoral, unethical, and apathetic to let the workers of Austin work ill, without paid sick leave. Without paid sick leave, families will jeopardize their physical and financial health. We as a city, community, have the ability to make a change. We must be the change makers and lead the way as the first city in the south to pass a paid sick leave ordinance. Austin city council members, I call upon you to pass the paid sick leave ordinance for the good of our people and the good of our city. Thank you.

>> Mayor Adler: Thank you very much.

[Cheers and applause]

>> Mayor Adler: Coming down to this podium, please Dave Pinkham and Lizette Hernandez corteras. Please, your name and you have one minute.

>> My name is James Cole and I'm with the Austin democratic socialists of America. I've been very active in our campaign for the paid sick days ordinance and also medicare for all. While doing this, we've knocked on well over 5,000 doors in districts 1, districts 6, 7, 9, and 10, something like that, and every door you knock on, you get the same answer. People are very excited about this. Austin is very behind this. You know, when you go there, the questions they ask are, oh, how many days a year, or when is this going to get passed, or how can I get involved? It's not, oh, this process is going too fast, or I don't understand it or --

[laughter] What about the 501c 4s or the corrupt professors from saint Edwards?

[8:53:54 PM]

So this is something that has an enormous amount of support behind it, and the people of Austin, the workers of Austin demand it. So I urge you to vote in favor of it today. Thank you.

>> Mayor Adler: Okay.

[Cheers and applause]

>> Mayor Adler: State your name, please.

>> Good evening. My name is Dave Pinkham. I am also here on behalf of the Austin democratic socialists of America --

>> Mayor Adler: You have time that's been donated to you by Collin gray. Is Collin gray here? No? Is Elizabeth Garcia here? No? You have one minute. Go ahead.

>> I'll donate.

>> Mayor Adler: Come down and give the clerk --

>> Should I go ahead? Should I start?

>> Mayor Adler: You have three minutes.

>> Great. In addition to that and all the involvement that dsa has had in this campaign, which we are very excited about I'm also a food service worker, and I just wanted to note something that has come up multiple times tonight by -- through several people's speeches. There seems to be some implication that all of us food service workers are a bunch of messy alcoholics that are just waiting for an entitlement to abuse that, so we don't have to go into work in the morning. I have to say I find that complication rather disturbing, making light of what is potentially a very serious mental health issue, is a real problem. And if we are all so messed up and so -- spend so much of our money on booze, then maybe it's not us that's the problem, maybe it's the system, the structure that's already in place that we have no control over, that is the real problem. Anyways, going onto what I was going to say, there's been a lot of back and forth, obviously, a lot of heated opinions tonight. I think we could really boil it down to a very simple moral question. This is a question of value, what is more valuable, people, workers, or profit margins?

[8:55:59 PM]

Money. That's it. That is the only question here. Businesses say they can't afford it. They analyze. They look at their costs. We reject that framing of the narrative entirely. Workers' lives are not something that can be commodified. Workers health should not be. We as a city, you all, as our council, we have

the opportunity to be a great leader on this issue. As has already been pointed out, we would be the first city in the entire American south to have an ordinance that cares for its working class people like this. We have the opportunity to lift up the most vulnerable members of our society, of our city, people who are struggling to get by, people who struggle to pay their bills. We've heard so many stories already tonight of people suffering when they experience sudden health conditions and have no other recourse, of people forced to borrow money from their bosses to pay their medical bills. I find that a little disturbing as well, but that's another conversation. We have the opportunity to do the morally right thing. I would invite you all to join us in that. A lot of time and work and compromise has gone into this ordinance. A lot of voices have come to the table, and they've been heard, and they've been included. We need to vote yes, now. If we delay, we risk pushing this back to the point where it'll be preempted by the state government before it even has time to go into effect, and actually provide any material benefit for workers here in Austin. Respectfully, please vote yes, tonight. Thank you.

[Cheers and applause]

>> Mayor Adler: would Jessica Wolf and Rick Levy please come on up to the podiums.

[8:58:00 PM]

Please introduce yourself.

>> Thank you for considering this important matter tonight. I'm Mark Mistake Cartney and here to support paid sick leave as a precinct chair as the Democratic Party which passed resolutions passing this month ago. All people who work in Austin need paid sick leave. Those that don't have it right now are the most in need of it. They may not have the economic means to recover from illness and care for their children when they get sick. I'd ask anyone who opposes this to ask themselves two questions. Do you feel comfortable eating at a restaurant where the people serving your food can't take time off taking care of their illness, sending your children to school knowing their classmates' parents may have no option to care for their sick kids thus have to send them to school informal it's a relief to live in a city that doesn't overlook the working class. So thank you and please pass sick leave for all tonight.

>> Mayor Adler: Thank you.

[Applause]

>> You called my name a little bit ago but you didn't just then.

>> Mayor Adler: I've called so many names I don't know who is in what order. Introduce yourself when you begin?

>> Okay. Hi, my name is Nicole Stern, member of Austin DSA. And I live in district 3, and I support paid sick days for all Austin employees.

>> Mayor Adler: You have time that's been donated to you by Steven

[indiscernible] Here?

>> He's not here anyone.

>> Mayor Adler: You have one minute.

>> Sick days for all Austin employees with zero extensions. For the last five years it's just been myself but I plan to hire other people in the I reason I bring this up as a business owner you have to take into account all the costs associated into running a business. Sick days should be a given. No one is exempt from getting sick or immune from bills it I came down with the flu and it took a full eight days to get better.

[9:00:13 PM]

In my daily work I meet people at hospitals, nursing homes, et cetera. It would be irresponsible and dangerous for me -- and any future employee to expose illnesses like the flu to these folks, especially considering the 37 deaths that have occurred in Travis county this season. I was able to afford these eight days off because I did factor this into my business model. It's just common sense. I'm extremely disappointed in business owners that pedal scarcity and are against paid sick days. Please vote for a stronger sustainable city.

[ Buzzer sounding ] And pass this ordinance.

[ Cheers and applause ]

>> Mayor Adler: I need Audrey [indiscernible] To come down. And also chase walker to please come down to the podiums. Please introduce yourself.

>> Is it my turn? You're right. Thank you.

>> Hi, council, my name is

[indiscernible], and I'm here today to present information as to why moving forward with this sick leave vote is so vital. I guess working as a hot line advocate for the safe alliance here in Austin, Texas, for four and a half years. At safe we offer services to people experiencing any form of abuse or violence such as human trafficking, child abuse, sexual assault and domestic violence. It's important to understand that there are no income qualifications, taxes or services but it's also important to understand that the majority of the people who seek out our free services such as counseling do it specifically because they cannot afford to pay our -- to pay for support to heal from their traumas. From my experience in over 4,000 calls I have taken in English, Spanish, asl and many other languages, one of the many major concerns and barriers that I have heard from callers is having financial ability to leave work when an important life event comes up.

[9:02:16 PM]

[Buzzer sounding] When medical or therapeutic. When we hold the privilege to take time off from work quarterback and it is a privilege -- it can very difficult to understand how this simple thing can have such a huge effect on our lives. The majority of my callers are people facing many financial barriers, holding jobs in the food and service industry, being able to have days off in general can be extremely difficult. Let alone get paid for those days off. For this reason most of our callers of whom are in vital need of safety and healing cannot afford to miss work or take time to address these very basic needs of safety and mental illness. I imagine you to take a moment and imagine what it would be like for you to be a single parent who was recently left a abusive rip, to not have the privileges and opportunities that you currently hold. Add danger and trauma to the equation. As most of our callers continue to face aggression from abusers even after the relationship has ended.

[ Buzzer sounding ] These are many of the barriers and realities that people in the Austin area are facing. Providing paid sick leave can provide the means to at least be able to not worry about having a smaller paycheck or risk losing employment.

>> Mayor Adler: Thank you very much.

>> I ask you as an advocate of victims of violence and as an Austin citizen who has experienced the lack of this privilege in the past to please consider passing this vote as --

>> Mayor Adler: Thank you.

>> -- It could provide health and safety to many of those --

>> Mayor Adler: Thank you very much.

>> Thank you.

>> Mayor Adler: Thank you.

[ Cheers and applause ] Coming down to this podium I would appreciate if Christopher Wang and Madeleine delich would come down please.

>> Hi, my name is Jessica wolf with the workers defense project and I have a video to show from a business owner named suzana, the owner of

[9:04:26 PM]

[indiscernible]. It's sideways citizenships for that. So I apologize for that.

[ Laughter ]

[Buzzer sounding]

>> Mayor Adler: I think we get the gist. Thank you very much.

>> Thank you.

>> Mayor Adler: Thank you. Sir, please introduce yourself.

[ Applause ]

>> Hello, I'm Chase Walker. I'm an employee of Kirby Lane. You've heard Tyler speak earlier about the issues us as employees face. I'm going to keep it short and sweet. Basically voting against this is voting to get you sick. I can tell you this past flu season I took four days off personally. I had to. Couldn't -- all my savings basically vanished because I had to use that to pay the rent and bills during that time. I know this happened for just about everybody in the restaurant, for no other reason than that are your own self-preservation please vote for this. Thank you.

[ Applause ]

[9:06:27 PM]

>> Mayor Adler: Coming down to this podium please if we could have Sheila Frankfurt and Shane Filiodrop.

>> Thank you, Mayor, Councilmembers, Jim Levy, President of the Texas AFL-CIO, constituent of Kathie Tovo, Councilmember Tovo, and we're here very much in support of this ordinance. We represent over 240,000 workers across the state, including several tens of thousands of workers in the Austin area represented by the Austin Central Labor Council and our great group of all young active labor leaders active in this fight to pass this legislation. And I want to thank all for bringing it, Councilmember Casar, and members, I also want to thank all the people that have worked getting signatures, petitions, calling, writing, because that's how we get politics that reflects our values in this state, in this city. And so the opposition that we've heard from businesses sounding familiar to me, you know, we heard that the sky was going to fall when we passed civil rights legislation, we were actually telling people who they had to hire but the reality is your job is to reflect the values of this community and the values of this community have been stated very clearly.

[Buzzer sounding] That when people are sick and need to take care of themselves and their family, they should be taken care of in their pocket book as well. We stand with you and thank you very much for taking this up.

>> Mayor Adler: Thank you.

[ Cheers and applause ] Introduce yourself.

>> Evening. Chris Wong, member of Austin DSA, I want to thank the Mayor, Mayor Pro Tem, Councilmember Casar, for introducing this paid sick days legislation ordinance. I wanted to speak to the idea that this policy is rushed.

[9:08:30 PM]



This policy can't wait another day. Manager cronk, you're new here. Down the street there's a legislature that likes to punish cities for trying to take care of their people. We need this ordinance yesterday. I went to work sick last week, actually, come to think of it, and I know I couldn't afford to take a day off unpaid. My story is a story that a lot of Austin workers share. I want to say that it's been a six-month process from when city council.

[ Buzzer sounding ]

-- Started discussing this and we can't wait any longer. Thank you.

[ Applause ]

>> Mayor Adler: Thank you.

>> Hello, my name is --

>> Mayor Adler: Hang on one second. Let me do this. Heidi Sloan would please come down, and also Jody mozika. Go ahead.

>> Thank you. Hi, my name is Sheila Frankfurt. I'm a proud member of the Austin democratic socialists of America, I'm a member of councilmember Casar's district. I'm so thankful for your support. But I'm coming here as a licensed psychologist who primarily works with veterans to do outpatient psychotherapy, veterans who have put their lives on the line to serve our country and who as we know are struggling at crisis levels with suicide and posttraumatic stress disorder, and substance abuse. I've had veterans come to my office with a sincere desire to participate in therapy and they miss therapy and miss group because they work in service industries, they work in private businesses, and they can't take time off. I don't know -- to come to their appointments. So I don't know how -- the

[9:10:31 PM]

[indiscernible] Suicidal mental health crisis not just in veterans but civilian population if people can't come get treatment that they desperately need. Thank you.

>> Mayor Adler: Thank you.

[ Cheers and applause ] Coming down I would also -- why don't you go ahead and start. Thank you.

>> Hi, my name is Madeleine, I'm a constituent of Ora Houston. I wanted to speak to this point that I heard a few times tonight about really small businesses and how if somebody is sick then what are they going to do that day? Well, they're going to stay home if they're really sick, they're going to have to stay home either way. And they should deserve to get paid for that. I have been in that situation where you're having to make that decision between 80 bucks and going to work with a science infection and going to go work with a cold and you know you're going to spread it to people. I think I said it all. Okay.

[ Cheers and applause ]

>> Mayor Adler: Thank you.

>> Real quick I want to check and see if I have donated time.

>> Mayor Adler: What's your name, please.

>> Heidi Sloan.

>> Mayor Adler: Yes, is Paul Quincy here? No? No?

>> I'll donate my time.

>> Mayor Adler: Why don't you come on down. What about Orianna Liki. You have three minutes if this person will come down and give their name.

>> Thank you. Like I said my name is Heidi Sloan, I am in district 1 and I'm here with Austin DSA. Thank you so much, council members, mayor, mayor pro tem. We really appreciate the last six months of your work on this issue. We, too, have been working for the last six months on this issue. We talked to thousands of Austinites knocking on their doors, going into their places of work and calling them on the phone to get feedback on just what it is that they're missing in their lives.

[9:12:45 PM]

I've walked so many blocks on this issue and talked to so many people just last week we went to district 6 where it started sleeting on us. And I think that made some doors open for us that wouldn't have otherwise but I'll take that because an open door is the beginning of a conversation. A woman in district 6 whose bumper stickers might have dissuaded a lesson Saturn counselor welcomed me into her home as they were eating Sunday morning pancakes. She literally gasped and grabbed my shoulder when I told her that 230,000 Austinites don't get paid sick days. She said, "I had no idea there were employers that didn't offer that to their employees." And she signed immediately. She saw the humanity of the idea and was persuaded by that. A school counselor in district 10 who teaches outside of Austin but is working to bring health care to her classroom because somehow that is also her job, she was struggling to see a way forward in that work. And I offered her this platform, and she jumped on it. And so did every other teacher that I talked in all of those days of capital metro canvassing and phone banking. They immediately signed. They wanted to volunteer. Not for themselves, but for their students. Every single individual I encountered who worked in the food industry, same story. They already knew, as soon as I said paid sick, they said give me that. I will sign it right now. The same interestingly for me for everyone that I talked to 100% of people who worked in the medical field from folks who work at insurance companies to providers to pharmacists, they already know the true cost of our lack of paid sick days here in Austin.

[9:14:51 PM]

They already know they can count that already. It's a true accounting. And so today I humbly submit these voices over my own and ask that tonight you honor the humanity and the dignity and the livelihood of Austin workers.

[Buzzer sounding] Austin families by passing this ordinance.

[ Cheers and applause ]

>> Mayor Adler: Thank you. What about chow Ngo. Come on down. Also Matt Wright and Lizette cartinez and Megan Perkins. Come on down please. Go ahead.

>> Mayor, mayor pro tem, councilmembers, Jody, resident of district 7 and I'm so proud to be standing before you today not only in support of a paid sick ordinance but also as a representative of

[indiscernible] Co-op also of district 7. Not only do we offer robust paid time off policy to our workers but continue to incentivize our staff to fair living wages as well as offering options for health care packages. Although we understand the financial strain that could be associated with the benefits that black star offers we do not believe this step toward providing benefits for ill employees or their families will create financial hardship for businesses. Rather those of us at black star believe this should be considered an investment who are at the heart and lifeblood our businesses. Without a healthy workforce our beloved businesses would cease to exist. 40 jurisdictions across the country have instituted similar paid sick policies and our beautiful, Progressive city of Austin should be spearheading - this is an Austin for city council to ensure we are providing quality jobs and fair practices to all members of our community.

[9:17:08 PM]

Thank you.

>> Mayor Adler: Thank you very much.

[ Cheers and applause ] I call up Matt Wright, Lizette, Megan, if you're not coming down I'm moving to the next one,

[indiscernible] Come on down. Jeromos, come on down. These people are not here. Brad crowder, come on down. Lauren baker, come on down. What about Sandra Miranda, come on down. What about Claudia yole. Okay. Go ahead.

>> Hi, my name is Megan Perkins, director of operations at beatnik foods, we're an organic food company based in Austin. I'd like to thank M councilmembers Casar, kitchen, tovo for their leadership to ensure workers have access to paid sick leave. I've heard businesses say they haven't been consulted about this policy. Our experience has been different to the numerous meetings that each your offices have taken with small businesses around Austin I'd like to thank you for incorporating the perspectives of businesses like ours in the design of this paid sick leave ordinance. We're a family business. And it's a core value of ours to treat our employees, staff, customers as we treat family and families get sick. It's important that our staff be able to take time off to rest, go to the doctor and pick up their children from

school when they need to. And as a food business, this obviously just makes sense. Food safety is a top priority for beatnik always and sick people just shouldn't be handling affordable housing food.

[9:19:12 PM]

I helped create our sick leave policy in January 2016.

[Buzzer sounding]

-- And there are some costs associated with this policy but at the end of the day we can't put a cost on each other's health.

>> Mayor Adler: Thank you very much.

[ Cheers and applause ] So I call Claudia yole, Tatum, Laura, Katie hienz, Malia Gomez and Jesus Mendez. Come down to the podiums. Go ahead.

>> Thank you. My name is Lauren baker. I am a north Austin resident.

>> Mayor Adler: Is Alicia waggie here? She donated you time.

>> She did.

>> Mayor Adler: You have two minutes.

>> Thank you. I'm sure you all are very tired, ready for this night to be over. I imagine that for many of you this process has been a bit of a nightmare because no matter what happens, you are going to make people mad tonight. You're going to be the bad guy. But I want to talk to guys about a nightmare that my family had last year. My mother, she is an hourly employee, works at a preschool. It does not pay much but you know what? It pays the bills at the end of the month. And she started losing feeling in her right leg. She's hoping she tweaked her back like some sort of sciatica thing but she doesn't have to take time off work because suddenly she's at the intersection of health care bill and lost wages. And she doesn't know it, but she's got a tumor on her spinal cord. It's growing fast and it is crushing every nerve in her body. I'm a new Austin resident. There's a lot I don't know about Austin. I just moved here from D.C. Where I worked on health care ballot initiatives.

[9:21:14 PM]

I respect numbers. I respect nuance. But the thing about the numbers that people from businesses and chambers are giving you, the numbers are off. Because they don't account for human costs. Because you can't put a number on my mother. You can't put a number on anybody in this room. You have a big vote tonight so vote well. Thank you.

[ Cheers and applause ]

>> Mayor Adler: let's call a few more names if some people want to come down. Ken Alario Vasquez. Darini Ramanathan. Maira Juerta.

[Indiscernible] Anthony Marquardt, Tony Marquardt. Gilbert Gonzalez. I think it's you. Is it you?

>> I believe so. I just wanted to check to see how much time I had donated. Jen Ramos.

>> Mayor Adler: Let's check. You had time donated by Lillian Mendoza. Is she here?

>> She was.

>> Mayor Adler: No? What about Jerry Locke? Jerry Locke here? You have one minute.

>> Mick Mick.

>> Mayor Adler: And give me your names. You're back up to three minutes.

>> Thank you.

[9:23:14 PM]

I wear many hats in this community, the president of the -- press secretary for young Democrats of America, member of DSA and involved with several coalitions, constituent of Mayor Pro Tem Tovo. Today I'm coming and have commentary but I'm throwing that out the window because I'm coming at my most vulnerable. Since the age of 18 I've been in the server industry. According to my registration I'm a part-time worker as a bartender. I actually got printouts I handed to the clerk and they are messages through correspondence that bartenders use called hot schedules. The last four months I have metaphors saying please pick up my shift, I'm sick with a virus, I'm sick, I need someone to pick up my shift. I have countless coworkers that have offered to pay to get their shifts covered because we do not have a sick leave policy at the bar I work at. So I ask you this, the last time I come in front of this council I was actually down with strep throat and many of the council members didn't hug me because I was clear I had strep throat. You won't hug me when I come to council but want me to serve you a martini. I have carried color septic, Allegra for allergies, I've carried Tylenol and carried several things. I have worked with strep throat, worked with the flu twice, with allergies and contrary to the belief of other business owners, mental illness not comparable to a hangover. At my most vulnerable even though I advocate for the community I ask you to take this into consideration. In spite of everything we do for our communities how can we benefit our communities if we can't tell them they can stay home when sick? It's not only common sense policy but showing the care and understanding we have for our communities.

[9:25:16 PM]

If we would like citizens to stay in Austin, not only young residents but residents in general to have a high quality of life we need to consider paid sick leave. It is with that conviction and this strong passion I have that I urge you not to delay item 49 but strongly urge you to consider this compressive policy. It's time that we consider our citizens. Thank you.

>> Mayor Adler: Thank you very much.

[ Applause ] Let's go ahead and bring down Gilbert Gonzalez, whose name I already called, Samantha Robles, Melissa

[indiscernible]. Ryan Garrett, Juan Gonzalez, Nicole stachek, haturm nache. Cheryl Lee. Okay. Please.

>> Good evening. My name is [indiscernible] I'm the director of student outreach in organizing at deeds not words, an organization that turns ideas and of inwe can into action. I stand before you as a new resident in Austin, district 4, a part-time student, dreamer and DACA beneficiary. Since the last presidential election undocumented immigrants like me have received unwanted attention that have caused many of us to severe mental distress. There have been times this past year where facing the world let alone going to work has been too difficult to bear. Imagine your future, your dreams and your families being held hostage into a political football game. And staying home from work on rough days has helped me to handle stress, regulate my thoughts and manage my emotions.

[9:27:18 PM]

In a state that rings 39 for prevalence of mental illness and lower rates to access to care Austin should stand up and set the example.

[ Buzzer sounding ] Tonight you have the opportunity to help people not choose between their health and sick days. Please vote yes.

>> Mayor Adler: Thank you.

[ Cheers and applause ] So you had time donated for you from Monica Guzman. Is she here? What about Mckinley Forbes? You have one minute.

>> Okay. Good night, my name is

[indiscernible]. I am the secretary treasurer of the Texas aflcio and today I'm here to ask you for your support for the paid sick leave. Austin residents have spoken. This is what democracy looks like. They have organized. They have made their voice heard, and they want paid sick leave for all the employees. I think it's important that Austin has the opportunity to be the first city in the south to be able to do this. As residents I think it's beautiful that we have come together and are advocating for others to have the opportunity to have paid sick leave. I ask you and I thank you -- and I thank my councilmember Garza for taking this important step in the right direction. This is what we need to do. This is what our families, our students, the workers in Austin need, and I hope that you are bold enough to pass this tonight. Thank you.

[Buzzer sounding]

>> Mayor Adler: Thank you.

[ Applause ]

>> Mayor Adler: Karen Stecker should come on down.

[9:29:19 PM]

Introduce yourself please.

>> Katie hienz, UT student in the ninth district.

>> Mayor Adler: What was your name?

>> Katie hienz. I'm in support of paid sick leave and I'd share why with a personal story. I was raised by a single mother, me and my three siblings by herself and in eighth grade I was -- I had an autoimmune disorder. I was in and out of the hospital for about a year and my mom took off time because she didn't want me being alone in the hospital. While worrying about my medical bills and worrying about my other three sisters she had to worry about whether or not she would lose her job. I don't think anyone should have to choose between their job and children so I ask today that you pass this ordinance. Thank you.

>> Thank you.

[ Cheers and applause ]

>> Good evening. My name is [indiscernible], Mr. Mayor, councilmembers. Let me start first by looking at Mr. Cronk as our -- welcoming Mr. Cronk to our most beautiful and Progressive city in the south. Mr. Mayor, city council, I know the pleasure of knowing most of you personally but I'm here tonight to speak as a small business owner. I have three employees plus myself. I've been a small business owner for the past 25 years. By the way I live in district 8 and my business is in district -- I guess Kathie tovo. My business is over there. I ask you and I urge you please pass this ordinance because it is the right thing and just thing to do. As a businessman it's not only I care about my employees, which I do care about them, but it is the right business decision and it does make sense for a lot of our businesses small businesses in this town, for businesses, employee retention. Ask me, I've been in business. It's good to keep having employees years after years.

[Buzzer sounding] Thank you and I urge you to pass the ordinance tonight.

[9:31:21 PM]

>> Mayor Adler: Thank you.

[ Cheers and applause ] I think I already called down Cheryl Lee so Paige Watts, Tessa Berlin and Sammy Joe.

>> Ryan Garrett, GM at Stubs Barbecue and for the past 17 years I've been extended tremendous benefits by Stubs, much like my coworkers, we have received health care benefits, we've received paid sick leave, and we've received 401(k) as part of a Progressive organization that values their relationship with their employees. I've seen first hand what extension of these kind of benefits can do for morale, integrity and the best kind of representation a restaurant could possibly have. This means the world to the people I work with and it is 100% the right ordinance to pass today. I will advise Stubs accommodates hundreds of thousands of patrons on an annual basis to ensure that we don't compromise the health of our valued patrons, we pay a bartender, a server, a cook, a pit boss to stay home for the day to omit that possibility of spreading the flu or whatever cold or illness is out there right now. It's integral to the makeup of Stubs. It's 100% the right thing to do and I'm here today to support item 49 and urge sick time for private employers. Thank you.

>> Mayor Adler: Thank you.

[ Cheers and applause ]

>> Good evening, my name is Cheryl Lee.

[9:33:22 PM]

Do I have some donated time?

>> Mayor Adler: Tracey Dunlap? Is Tracey Dunlap here?

>> She's outside.

>> Mayor Adler: Will you have her come in, text her or something. What about Hannah Mitchell? Okay. You can start with two minutes. When Tracey Dunlap walks in have her waive to me?

>> Thank you, Mayor, Councilmembers. Cheryl here, I work at AT&T communications and I'm a proud member of Communication Workers of America. I'm here to ask that you vote in favor of item 49 the paid sick days ordinance for Austin. People get sick and getting sick reduces the ability for a person to perform their job. I work at a call center at AT&T and I've seen employees come to work so sick they're literally vomit being at their desk between calls too afraid to go home because they lose wages or too afraid to go home because they're afraid of retaliation from management for leaving. I and my coworkers have been at work sick with a cold, the flu, respiratory infections, migraines, stomach viruses, bronchitis, no voice, and we talk to customers on the phone. Customers are asking us what is wrong with the way that we sound because we are sick. When employees go to work, their quality of work suffers. They spread germs, risking transfer of sickness to others. Their recovery is delayed because the time needed for proper medical attention to get better is not an option which then leads to more complicated and extensive health conditions, which then leads to higher health insurance premiums in the future. Over 200,000 residents in Austin are forced to make the choice of going to work sick because we don't have policies in place to serve their interests. You represent the people. The people of the



community, workers and their families. People who elected you to do the right thing for them. Paid sick leave is one of those right things. You have an opportunity tonight to make a clear and moral choice today for working families. We ask tonight you change the face of what it means to be sick in Austin by changing the idea that paid sick leave is a privileged benefit and transforming that idea into a basic right for everyone protecting jobs from working families and adding flexibility in the workplace so we don't have to choose between lost wages and health.

[9:35:35 PM]

Do the right thing for working families in Austin and vote for item 49. Thank you for your time.

[ Cheers and applause ]

>> Mayor Adler: Thank you. Go ahead.

>> Good evening, Nicole

[indiscernible]. I just wanted to check to make sure if I had any donated time?

>> Mayor Adler: You had time donated by Emily tressle. She's here. What about Patrick Marcus?

>> That's enough.

>> Mayor Adler: You have three minutes.

>> Thank you. I'm a resident of district 3. I worked for several years as a waitress but I'm now an election. I'm a member of the international brotherhood of electrical workers.

[ Cheers and applause ] I work for many shops, including one that employs tens of thousands across the nation but I currently work for one that employs less than ten. All of our signatory contractors, regardless of size, pay the same base salaries and offer the same exact benefits, which include health insurance and a pension. It's a one size fits all model, if you will. And it must be working well for my small business employer. Despite being held to the same exact standard of the larger union shops, my current employer did so well last year that they paid out bonuses to all of their employees. That's even while being held to a higher standard than the majority of the electrical contractors in all of Austin. It's my understanding that some councilmembers have expressed concern on behalf of businesses not coming forward tonight for fear after being boycotted. And I wanted to take a minute to remind council about the risk that workers take to advocate for better working conditions and the risks we took by coming here tonight. Nearly every worker who can even afford to make time to come, which is not many considering how few of us have no paid time off whatsoever, risks being fired from their job that they live off of paycheck to paycheck.

[9:37:43 PM]

That is how important passing this policy as its written is to us. As workers, we already know which businesses do not support this policy. And we by and large work for them. Many of these businesses offer no benefits at all, not even workers' comp insurance. They can fire us for any reason they want. And pay half of their staff \$2.13 an hour. It's not clear to me how conditions could be more favorable for them. What workers are asking council to do tonight is live up to Austin's Progressive representation. Raise the standard of doing business in our city for everyone. And allow our community to live healthier and with some level of dignity by passing this modest policy. Thank you.

>> Mayor Adler: Thank you.

[ Cheers and applause ] Go ahead.

>> Hello. Good evening. My name is Paige Watts, and I'm a senior at Austin high school. I'm here to discuss that this is not a privilege but more of a right. Last week I got the flu. I was so sick I could not walk or even leave my bed. Because of this my mother had to stay home from work for the entire week just to take care of me. My mother does not have guaranteed paid sick leave and because of this my family struggled financially. This ordinance would greatly impact my family in a positive way when passed. So thank you for listening.

[ Cheers and applause ]

>> Mayor Adler: I'm going to go ahead and call a few more names to come down please. Michael [indiscernible], Joe Urias, Andrew Dobbs, Paula Mcdermott. It's your turn.

>> Hello, my name is Erin and this is my husband and business partner, John.

[9:39:47 PM]

We live in district 7, cofounders and owner operators of forth tap brewing cooperative, located in district 4. We're standing in support of four top councilmember Greg Casar. Forth top is a small worker owned cooperative with paid sick time off integrated into our business model since inception. At forth top we have paid time off. They are granted with approval, especially sick time and family emergencies. We have a family first policy, which include personal health and safety. During our two and a half years of operation, we have had multiple instances of people needing to take sudden time off due to health and safety, either for themselves or an immediate family member. We have experienced first hand both personally and through our workers how impactful it is to remove the financial stress during what is an already stressful situation. In reviewing our policy in preparation for this testimony we found no negative impact on our business.

[Buzzer sounding] On the contrary we believe orianne workers are more productive due to this policy.

>> Mayor Adler: Thank you very much.

[ Cheers and applause ]

>> Mayor Adler: Please introduce yourself.

>> Tessa, senior at Austin high school. Go maroons. So I got a job as soon as I turned 15 at a classic Austin establishment. They have good burgers. While I don't have to work to support my family I know a lot of my kids at my school who do and these skids should be able to get paid sick leave because they have to work to support their families as teenagers which can put a significant strain on their education if they have to skip work instead of school to make ends meet. High schools can be pretty gross places so it kind of makes sense if people get sick. And I can't vote yet, but I'm still here to exercise my civic duty and support my classmates so please vote yes on this ordinance.

[9:41:52 PM]

[ Cheers and applause ]

>> Mayor Adler: Thank you. Please introduce yourself.

>> Good evening, my name is Mike [indiscernible], member of Austin dsa. I think that in 20 years all of America is going to have paid sick days and I really hope we can look back and say Austin was on the right side of history and that we were one of the leaders in making this improvement for workers all across the country and all across the world. And hope we don't look back and say we were the ones impeding the progress. Thank you.

>> Mayor Adler: Thank you.

[ Applause ]

>> Hi. My name is Sammy Joe oats, senior at Austin high, and I'm so grateful for this opportunity to speak to you all tonight. Would help my family be able to prioritize their health and mine as well. My mother who does not have paid sick days takes care of me when I'm sick, in doing so causes our family to suffer financially. I fully support the paid sick leave ordinance and I believe that it would greatly benefit our community if and when it passes. Thank you.

>> Mayor Adler: Thank you. Hold on, please.

[ Applause ] Mayor pro tem.

>> Tovo: We've got a series of Austin high school students speak to us and I just wanted to acknowledge that and thank you all for coming down and for being engaged in this community.

[ Cheers and applause ]

>> Mayor Adler: Mr. Dobbs, you had Miami time donated. Brad crowder. Is he here?

>> He's outside.

>> Mayor Adler: He's outside? Have him come in and wave. Nicole melty? Is Nicole here? You have a minute until someone comes in to waive to you.

>> He can have my time.

>> Mayor Adler: He have you have two minutes.

>> Appreciate it. Thanks so much, council, welcome, Mr. Cronk, glad to have you. You are in Austin now.

[ Laughter ]

>> Mayor Adler: You're not in Kansas anymore.

>> I'm here to speak on my own behalf, not on behalf of anybody else and to speak in favor of this ordinance.

[9:43:59 PM]

You know me in my day job. What you may not know is that I'm a college dropout, don't have a degree. I basically qualified to do two things, organize and advocate and wait tables and I'm not very good at waiting tables. And in that time, when I did that job, there were times when I was sick and I had to work. Last time I had the flu was in 2008 and I worked at the macaroni grill and I handled people's food, seriously ill. You know what's crazy? When you're sick and you have to work anyways, it sucks because you can't heal but what's really bad about it is the indignity of it. What it says is that my boss' ability to make money is more important than my health and life. Just as simple as that. That's exactly the decision that you're being asked to make today. Should businesses -- should this be a basic minimum expectation of businesses? Should their ability -- should my boss' ability to make money off of me be more important than my health and safety? I would say no. I think that this ordinance is already a compromise. It is already way far from what we wanted it to be in the initial stages. Talk about adding new exemptions for nonprofits. I work for a nonprofit. We don't need that. We don't need to be dividing workers. And that's what I'm afraid is happening already. When you have -- first off I worry about having a workplace where fewer than six people don't have coverage for two years because the workplaces that have seven, eight, nine workers are going to start firing two and three people and making everybody else work harder. When the leg comes in next year and try to take this, you'll have a bunch of people saying I don't have that benefit. Give it to everybody. I urge you to walk this back and take this be to the strongest possible policy. Give us 12 sick days like we initially demand. Given us the strongest possible policy, take a vote and we can hold people accountable who vote against it. I guarantee you are there people here who are going to knock on doors for candidates that support this policy?

[9:46:02 PM]

[ Cheers and applause ] Are you going to give are you going to make phone calls? We will take care of that end of things. You have the right -- you have the ability right now to stand up for human dignity, stand up for the working people of this city. The last thing I'll say is we talk a lot about affordability in this town, others have mentioned it too. This is an opportunity to say, you know, whose affordability is more important? The bosses or working people? Twenty-one cents an hour or my ability to pay my bills

at the end of the month because I didn't lose a day's worth of pay. I urge you to support this and walk it back and make it as strong as possible.

>> Mayor Adler: Thank you.

[ Cheers and applause ] I'm going to call more people down here. I think I called Paul Mcdermott before. Stephanie [indiscernible], turpin, Rex gore, Pamela baton, Wendy lambert. What about frank Fuentes?

>> Houston: Mayor? I see Andrew Marquardt is here.

>> Mayor Adler: Tony Marquardt, come on down. Go ahead.

>> [Off mic]

>> Wendy lambert.

>> Thank you.

>> Mayor Adler: Okay. Sir.

>> Good evening, my name is

[indiscernible] Student veteran over at UT and I also reside in district 9 of course because it's UT. I'm here to voice my support for this proposal as-is. I myself went to work sick earlier this year because me calling in would definitely affect my financial situation. I ended up getting written up because my work performance was poor and also before I was sick the around work and other employees were getting sick, families were getting sick, includes women, children, elderly people, my parents are elderly.

[9:48:09 PM]

I would hate if I got them sick with something. And so basically the way I see it, lettin employers not pay workers sick or forcing them to work while sick is lettin them have their cake and eat it too. So thank you and have a good night.

[ Applause ]

>> Mayor Adler: Thank you.

>> Good evening, council. My name is Paula Mcdermott and good evening and welcome, Mr. Cronk, as well.

>> Mayor Adler: You have time donated from Laura Rosen. Is Laura Rosen here?

>> Yes.

>> Mayor Adler: Yes? Okay. Two minutes.

>> Great. I'm adding my voice because my expertise is in the area of sustainable food systems, and I've worked on food policy in this city and county for the last ten years, and I've taught graduate-level courses on food policy as well. This is a food policy issue. And I think that it is that for many reasons. One

of the primary ones is that workers should be able to feed themselves well and feed their families well. And so this is a really important thing. There's 18% of people in our city that's the low end estimate who still struggle with those challenging issues of wages and transportation and health care, housing, and food, and food is the thing that it comes down to. And I'm not going to go into all the detail. I've sent y'all a lot of -- some research, but I do want to tell you a few things. I don't think that this is about employers versus workers. I listened to -- our food economy is strong here. And our food sector is really important. And I listened to small food businesses who do have a very, very tight margin, both growers of food, producers of food, and sellers of food, as well as small cafes but this policy in other areas has -- in all the municipalities that have put this into place have found that these businesses can sustain it.

[9:50:13 PM]

And I think our small business owners can sustain it and will sustain it and thrive. And I also want to say that fast food workers are a lot of who works in this town as well. And there's a steady -- study out of UC Berkeley that shows that 68% of the core fast food workers are the main wage earners in their families, more than 25% of them are parents and that workforce is disproportionately made of women, 73%, African-Americans 23% and

[indiscernible] Next people for 20%.

[ Buzzer sounding ]

>> Mayor Adler: Finish your thought.

>> I just really want y'all to know I do think this does not go far enough for tipped workers. That's a huge compromise. That's what that \$2.13 base pay was. Usually they average much more than that and we need more than that to survive.

>> Mayor Adler: Thank you very much.

[ Applause ]

>> My name is Pamela braton, human resource professional, member of the society of human resource management. We are the organization comprised of the professional and human resources who would implement such a mandate as you are proposing here. I would like to ask the council to stop, step back and consider a work flex program. Sure nationally has proposed a bill currently in congress that offers a flexible work program, a flexible -- cafeteria plan of benefits that will meet these needs. It allows employers who all have different sizes, different business models, different profit margins, not everybody can be a Dell. To still accommodate and yet be flexible in the things. I would urge you to consider that. I would also urge you to think about -- this is an employee benefit you are mandating.

[9:52:16 PM]

Truly benefits to employees are best addressed.

[ Buzzer sounding ]

-- Between the employee and the employer, not city government.

>> Mayor Adler: Thank you. I'll call down a few more names here. I think I called Rick Gore, Matt Gore, Wendy Lambert we called. What about Jeremy Cohen? Cynthia Valdez? Tom Rosen? And Adam Ormond. Mr. Fuentes.

>> Thank you, honorable mayor, honorable members of this council. Mr. City manager, welcome to Austin, itself. It's a beautiful city and this is how we do it here. We don't always agree but it's such a beautiful city. What's beautiful about this city and I would remind our council it's not just its people. We have beautiful people that make up this city but it's the entrepreneurial spirit that makes this city wonderful. It's eclectic businesses. I would ask this council to -- while their intent is wonderful and we supported the intent of this ordinance from day one, it's the way it was written, the language. One of the biggest languages that we have, one of the biggest issues with the language we have an issue with is the subpoena power the city is giving themselves when somebody will file a complaint, the city gets the subpoena power to request or get the books from small businesses. It's -- it's very worrisome to small businesses because now they will have to find a way to defend themselves without really necessarily -- we can put other language that can mitigate whatever issue might be causing the complaint. So we ask this council to please look at that.

[ Buzzer sounding ]

-- Subpoena power.

>> Mayor Adler: Hang on one second. Lucy is here?

>> Mayor Adler: You have an additional minute.

>> Thank you, Lucy. So we ask this council to look at the language.

[9:54:18 PM]

We also ask the council to look at the implementation of how this will -- would roll out for construction. When we break ground, it doesn't mean that we sign contracts that day, the day that we break ground. In Austin you all know it takes six to 12 months to pull permits. That means that we have signed a contract six months ago, 12 months ago. And now we are burdened with this liability in our balance sheet. So we ask council to hold back. Just look at how the different types of businesses that we're dealing with in the city. It's eclectic businesses. And how we can all work together. Again, the language is very important. Your intent is accepted by us. We understand, and we, again, urge council to hold back. Let's talk about how better we can all get a better ordinance together. Thank you very much.

>> Mayor Adler: Thank you.

[ Applause ]

>> Mayor Adler: Mr. Fuentes, one of the changes made to the most recent draft was a strict limitation on what documents an employer would need to turn over.

>> Thank you, mayor.

>> Mayor Adler: It does not required a certified payroll or anything pretty much other than, you know, name, time, dates and that's the only information that can be --

>> May I speak to the certified payroll?

>> Mayor Adler: Sure.

>> If not, I understand. I know my time is up.

>> Mayor Adler: Go ahead.

>> Okay. So when we talked to some of the councilmembers about certified payroll we didn't mean it in the sense of certified payroll to federal projects. We meant it that the city is going to have subpoena power then we need to have -- we need to be ready with records that are certified by a cpa. So that when we give and turn over our documents to the government they're certified. We know there will be no error. That's what we meant by certified.

>> Mayor Adler: Thank you.

>> Kitchen: Mr. Mayor.

>> Mayor Adler: Ms. Kitchen.

>> Kitchen: I put in that amendment, and it addresses that concern.

[9:56:21 PM]

It's not just talking about certified by federal certification. So this ordinance doesn't require any new certification requirements whether it's by a cpa or by the federal government.

>> May I respond, mayor?

>> Mayor Adler: Go ahead.

>> Just a concern. Again, thank you, councilmember kitchen. You heard our concern, and you acted on it and we appreciate that. When a government entity has the power to subpoena your records, on our end, we have to make sure that we are ready for -- for the delivery of those records. That means for us we have to make sure that they're certified, whether you're requiring it or not, it needs to be certified. Because what we turn over to the city, what we turn over to the government needs to be accurate. That's what we meant by that. But, again, thank you, councilmember, for making that amendment.

>> Mayor Adler: Thank you.



>> Good evening, council. My name is Wendy Lambert and I represent the central Texas subcontractor association. I also represent the international -- the independent electrical contractors association and the national electrical contractors association of the central Texas area. That equates for over 185 businesses that employ 4,000 people in the Austin area. We are not against paid sick time. But what we would like is for you to take a step back and make sure this one size fits all policy is a better for all the businesses, all sizes, all employers, and employees. We don't want the sick people working but we want to make sure that it's going to allow companies to do what they need to do. Given the regional nature of construction, this policy would affect all those outside of the city of Austin that maybe have their business in Hutto but helped build this beautiful building we're in right now. But they don't vote in your districts.

[ Buzzer sounding ] Please take a step back and think about it.

[9:58:25 PM]

>> Mayor Adler: Thank you.

>> Hello, my name is Matt Gore.

>> I'm Matt Gore. I work at a start up, tech I'm part of the tech community. I think everybody in this room knows where this vote is going to go. You don't have to be Ibj to count the votes on this council. Now, all I would say is that I think because you know where this vote is going to go, we don't need to finish it tonight.

[Laughter]. This is why I think we should wait. Because I want to make sure this is a law that's sustainable, that sticks around, and that does a really good job. Okay? Right now, this law does not adequately address the issues with worker misclassification. It also does not address issues for the start-up community. The start-up disappears after 2020. Waiting until next week --

>> Mayor Adler: If we could -- we can't hear the microphone, which means people watching on TV are missing what you're saying.

>> Yeah. Waiting till next week to pass this bill does not mean that any single worker, when the ordinance is passed, it doesn't delay that for them. Right? It will actually go into effect at the same time, take your time, do a really good job, make sure this can be sustainable.

>> Mayor Adler: Thank you very much. Mr. Mark Watt? Let me call some more people down here. I'm sorry. What about Amanda May?

>> She already spoke.

>> Mayor Adler: Susana Vivanco? Seleda Xie? X-I-e? Joseph Strickland? Bob Cash? David King? And Gerald Stone. Come on down.

[10:00:28 PM]

>> Hello, mayor, city council. I'm president of the austin/travis county emails association. I presently work full-time in district 6 and I live in district 6. I'm here to support the council as drafted in its entirety, moving forward immediately with sick -- paid sick time for Austin citizens. Being on the front line of Austin in the ems, we're seeing a lot of front line interaction with the flu. A lot of parents have to make some very difficult decisions on a regular basis. We're a public health model, and we work to make sure that people have the right information to make the best possible decisions they have. In order to do that, they need to be able to have the leniency to take a day off, or two, to take care of a child or an elderly parent or something of that nature. We've transported, I think, three pediatric with the flu and two people from a nursing home alone. It's a big challenge and we hope the city council will look at it from a public health perspective. We work closely with Dell population health and we're looking to get into mobile integrated health.

[Buzzer sounds] Our future relies on the ability for people to make a decision to stay home under informed consent and take care of their family. Thank you.

>> Mayor Adler: Thank you.

[Applause]

>> Good evening. My name is Stephanie and I'm with workers defense project. I believe that some folks have donated their time --

>> Mayor Adler: What was your name?

>> Stephanie deracanian.

>> Mayor Adler: Hang on a second, Stephanie. Is Leslie sellers here?

>> I'm here.

>> Mayor Adler: What about Mario alkaras? You have two minutes.

>> I'll donate my time.

>> Mayor Adler: Would you please let the clerk know. Thank you.

>> Hi. My name is Stephanie and I'm special counsel with workers defense project, and also I work with workers defense action fund. I first off just want to say how proud I am to be in front of you today.

[10:02:29 PM]

I know that this has been a long process, and tonight I am so excited to be on the right side of history. And I hope that you feel the same excitement as I do. I wanted to speak a little bit about some of the comments that we have heard tonight. As you know, workers defense is a membership-based organization. We primarily work with those who work in the construction industry in Texas. There's been a lot of talk about the process of how this ordinance came into effect. This process began about

two years ago for us inside our organization, talking to our construction worker members who I would argue understand the ins and outs of the -- -- I think it's important to say that for us this is a compromise ordinance, this is a compromise that we have worked really diligently to achieve, and I especially want to thank a lot of the councilmembers and other stakeholders who have been working with the work strong coalition, especially in the last few days to make sure that we found something that truly works for the city and can earn a strong majority here on council tonight. I want to thank councilmember Flannigan for all the work he and his office have done in the last few days to get there. I think the ordinance that you see tonight includes a lot of great proposals that come from his draft and I'm excited that they were able to make it into the final version that you all are considering. I think that some of the concerns that we have tried to address ensure that this is indeed not a "One size fits all" policy. I also specifically want to speak to some of the issues that were mentioned regarding subpoena power understand a misclassification. Misclassification is something that, as an employment attorney, I am intimately aware of --

[buzzer sounds]

-- Does someone else want to give me one minute? Thank you. We obviously are very concerned with misclassification.

[10:04:31 PM]

40% of those who work in construction are misclassified, and we worked very hard to make sure that there is language in the employee definition of this ordinance so that it is crystal clear that misclassified workers, truly misclassified workers, that is people who are actually employees, are covered under this ordinance, but bona fide independent contractors are not. I'd also just quickly like to talk about the subpoena power that's been mentioned. Every single any of agency that enforces labor standards, osha,

[indiscernible] Have subpoena power. This isn't anything new or shouldn't be anything new for the businesses that will be having to enforce this policy, will need to deal with. And I would also make it crystal clear that the subpoena power is discretionary, in that the language of the ordinance gives the director of eeohl, the discretion to use subpoena power as needed, but in our experience, doing labor enforcement, this is something that's used as a last step, only if an employer is non-compliant, and language of the ordinance itself ensures that the agency will seek voluntary compliance first.

[Buzzer sounds] So I think that those concerns have been addressed and again I'm just proud to be here tonight. You got me, Bob? Thank you so much. I think the last thing that I will say --

[laughter]

-- Is to the concerns that this is something that we need to figure out because we're not sure if it could work here, I know it's been said before, but I think it's important to say again, first off, the united States is one of the few countries in the world that doesn't ensure paid sick as a basic right for everyone.

[Applause] This is something that's worked in nine states. It's something that's worked in 40 jurisdictions. There's economic analysis about how this policy has impacted those places. I am very

confident that this policy will work here because I know how great this city is, and I think that, again, we are on the right side of history tonight, and I'm excited to make history with you. Thank you sort of.

[10:06:33 PM]

[Cheers and applause] Thank you so much.

[Cheers and applause]

>> Mayor Adler: Mr. Renteria -- hang on one second. Hang on.

>> It's after 10:00.

>> Mayor Adler: Mr. Renteria.

>> Renteria: It's after 10 o'clock.

>> Mayor Adler: Sure enough it is. Is there a motion to extend the time? Councilmember Garza makes the motion. Is there a second? Mr. Renteria. Those in favor of extending past 10 o'clock, please raise your hand. Those opposed? It passes. Let's continue on. Reverend Jim rig by, come on down.

>> My name is Jeremy Cohen. I manage a small business downtown. I am not opposed to paid sick leave; in fact, the people that I've heard coming up to speak against this, it doesn't seem like any of them have been opposed to paid sick leave. What we are all asking is that we take a step back and review the issues that we have with this seemingly poorly written and that burden the businesses and don't address issues that have been addressed already. Councilmember Flannigan's alternate proposal did start to address this. I think it's a good starting point. It's like Mr. Gore over here said, let's take a step back. It won't impact the final outcome of when this begins, but I think we need to review and take a look, a better look, and possibly think about how businesses can be incentivized to do this, rather than penalized. Thank you.

>> Mayor Adler: Thank you. Go ahead. Introduce yourself, please.

>> Selena Xie, and I think I've donated time.

>> Mayor Adler: Is Tyler Buckingham here? Thank you. Is Emma [indiscernible] Here? You're here. Got you. So you have three minutes.

[10:08:34 PM]

And would you please pronounce your last name?

>> Xie. You were close.

>> Mayor Adler: I was darn close.

>> Hello, mayor, city council members, welcome, Mr. Cronk. My name is Selena. I'm a constituent of Ora Houston. I'm also a paramedic for the city. I'm on the board of directors for austin/travis county ems association, local 6914. I'm also a nurse at the surgical intensive care unit at our level I trauma hospital just a few blocks away. As a paramedic and a critical care nurse, I see exactly why we need this policy. As a paramedic, I take care of patients who really should go to the er who refuse because they will lose a day's wages and possibly lose their job. I took care of a patient the other day who had a seizure before going into work who refused to be evaluated by a neurologist in the er because he would lose his day's wages and possibly his job. I took care of a waitress who almost fainted because she had the flu who would not go home because she was afraid she was going to lose her job. In the hospital patients want to know when they can leave in part because they are afraid they will lose their job if they miss one more day of work. In the hospital, patients leave against medical advice because before they are ready to -- before they are ready to go home, only to come back sicker than they were before. In the hospital, loved ones are not available for their family to sign consents for procedures which delays care, and we see this all the time. Loved ones are not able to make informed decisions because they are not present during doctors' rounds and are not available to answer questions. Our hospital right now is full of the flu. Please do not add onto this burden by sending the message that sick employees should go to work. When it comes to the flu, we have not rushed this process. Instead, we have not passed this policy soon enough. Please pass this ordinance so that people can think of their health first and please pass this ordinance for the health of the city.

[Cheers and applause]

>> Mayor Adler: Thank you.

[10:10:37 PM]

Let's call a few more names down here. Joseph Strickland. David king. Gerald stone. Tina cannon. Edward Espinosa. And Roy Whaley. Didn't we already call you?

>> You did. I have two videos that are horizontal, one of Joseph Strickland, then also one of Adam Orman giving testimony.

>> Mayor Adler: All right. Council, we have people that are -- what we've done in the past is we've let someone in their time because they're here, use their time however they want, and if someone chooses to use their time to do a video for someone who's not here, we've let that happen. The question is, are we letting videos come in for people that are not here as if those people were here. That would go beyond the rule that we have. Maybe you can find some people that are willing to donate their time and call up somebody's video.

>> Okay.

>> Mayor Adler: Let's try that.

>> Can anyone donate a minute or two? Yeah? Okay. I got one. Got two.

>> Mayor Adler: You have two, actually.

>> Cool.

>> Mayor Adler: So you can run both those videos. You have two minutes.

>> Great.

>> Mayor Adler: Okay.

[Video playing.] Councilmember Casar has listened to our concerns [indiscernible].

[10:12:50 PM]

[End of video.]

>> Then just one more. Thank you.

>> Brian Joseph, [indiscernible] Home sliced pizza.

[Indiscernible] Here in Austin. In support of item 49, this ordinance because I feel like service industry people need all the help they can get

[indiscernible] Coming to work sick or feeding their family. So thank you.

[End of video.]

>> Mayor Adler: Thank you.

[Applause] I'm going to call a couple more names, is abbey Cahn here? Okay. Let me call a couple more. I think I called some names, I don't see people. David king? There you are. Would you get in line -- just I'm engaging people. Sorry. Edward Espinosa. Tina cannon. Roy Whaley. Alex Meade. Okay.

>> I'm pastor of saint Andrews presbyterian church. If you give people

[indiscernible] They don't need charity. Being an American means you believe in life, liberty, pursuit of happiness for all people.

[10:14:51 PM]

Nobody takes all that seriously if they don't believe in paid medical leave. I'm very proud to be in a city that will insist that people get their human rights and will do the business details around that. So thank you very much for standing up for the workers and human beings in Austin, Texas.

>> Mayor Adler: Thank you.

[Cheers and applause] Go ahead.

>> Hello and good evening. My name is abbey Cahn. I'm a junior at Austin high school. I'm here to stand for workers with paid sick days. This flu epidemic has been the worst, I'm sick and tired, no pun intended, of the amount of death that have incurred in the city of Austin, Texas in denying basic rights in our community. 37 have died in Travis county this year. I'm in support of the paid sick leave ordinance, and I believe it's Austin's job to be the first city in the south to pass this paid sick days ordinance. Please make the right decision tonight. Thank you.

>> Mayor Adler: Thank you.

[Cheers and applause] Alex Meade, Jana Sims. Debra alemu. Rachel manning. And Fred Schmidt. Come on down and get in line so I know that you're here. Mr. King.

>> Thank you, mayor and councilmembers and Mr. Cronk, manager cronk. My name is David king and I'm speaking on behalf of myself. Paid sick leave for working class people is an equity issue. If we look at the benefits and perks that are provided by knowledge-based, high tech professional jobs in this city, paid sick leave is just one of the many benefits and perks they receive. Google provides employees with gourmet cafeterias, massage rooms, nap pods, and on-site doctors.

[10:16:55 PM]

But what do working class people get? None of those. They have to fight for the basic rights for health care, for living wages, and for paid sick leave. They have to fight and struggle. And, yes, state representative Paul workman threatened that the Republican controlled legislature would crush our sick pay ordinance. Well, I have some words for him. Mr. Representative workman, you try to crush working people in Austin, and we will work even harder to crush your antiworker policies.

[Cheers and applause] And I'm going to -- I'm running out of time, but I think the Austin chronicle summed it up well. The vote comes down to whether the councilmembers support a policy that is cost effective, rational, and just.

>> Mayor Adler: Thank you.

>> And this is all of those things. Please approve this ordinance tonight. Thank you.

>> Mayor Adler: Thank you.

[Cheers and applause]

>> Mayor Adler: Rachel -- Rachel manning. Fred Schmidt. Alexa Garcia Ditta. Roseanne, Maria apartum, Ryan rash ert. Brian mcgiverin. Ms. Can an.

>> Good evening, mayor, city council members, and new city manager. I'm Tina cannon was the Austin chamber, representing members of which make up 85% of small businesses. We hit pause, gather actual Austin facts and data, then make sound policy decisions. National averages apply to Austin are citing studies of completely different policies that's not applicable to Austin policy making. After all, Austin is anything but average. As you've seen here tonight. You've heard from many small businesses expressing

their concerns and even more who are just now getting up to speed on what has been a fast moving train.

[10:18:59 PM]

The rapid pace of this ordinance has led to confusion, too many questions, too little answers. The city staff have said more than once they don't have specifics is to how this would roll out, the impact to city employees, the taxpayer finance budget, what roll-out would entail, small business outreach, the hearing process, the list goes on this is not a time to guess the future of small business. This is a time to use data the same way y'all use data to collect things like land use policy, how adjusting certain aspects of zoning might impact density or transportation. We use all types of modeling tools, that is good governance and our small businesses deserve the same information. We ask that you take a breath, gather facts, and make a good policy decision.

>> Mayor Adler: Thank you very much. Go ahead.

>> Good evening, Mr. Mayor, members, my name is Alex Meade. I'd like to ask how much time I have.

>> Mayor Adler: Is Mateo Clark here? You have one minute.

>> Thank you, Mr. Mayor. I'd like to say that I support you passing this ordinance on all three readings this evening. And I know that there's a fear that some have expressed, which is that in next session, the people up at the pink dome are just going to preempt whatever we do here. But I still don't think that's a reason that we should be reluctant or scared to pass the strongest and most cohesive ordinance that we possibly can. What we're doing here is going to protect the thousands of workers that it will help, but it'll do more than that. It's going to send a message and it's going to start a trend. It's going to prove that we have the courage to stand up to workers when they need it. It's going to prove we're not going to be bound by the people, the cowards at the pink dome who want to preempt everything we try to do here. It's going to make sure that we are the first city in the south to stand up for workers, and pass sick leave for those who need it, and set a trend for the entire south and the entire country. So what you do here is going to have ripple effects across the country. And I ask that you take the opportunity that's presented to you --

[10:21:02 PM]

[buzzer sounds]

-- And you make this vote happen. Thank you.

>> Mayor Adler: Thank you very much.

[Cheers and applause]



>> Mayor Adler: I've called Brian mcgiverin. Joseah Stevenson, come down. Rick leafy we've already had heard from. Shane Johnson. Candice alor. What about Eric Goff? Bob batland? All right. Please.

>> Good evening. My name's Roseanne invent I name's Roseanne Maria prone. I believe people donated time to me.

>> I donated time.

>> Mayor Adler: Hang on. Let's see if she already has some. What was the number? 129. Sorry, is Genevieve cato here? Laura Gorsky here? You have three minutes.

>> Thank you. Good evening. I'm here in support of item 49. I'm a board member at the Lola fund. Lola fund is a non-profit organization that helps fund abortion for people who cannot afford it and advocates for this change through the movement for reproductive justice. Our vision is a Texas where all people have the means and opportunity to plan their futures and families with dignity, respect, and community support. We are in strong support of the paid sick days ordinance as proposed by councilmember Casar. We see firsthand how important it is for our callers, who are primarily low income working women of color, to have the ability to take the time they need to take care of themselves or loved ones, without foregoing critical wages necessary for their livelihood'd hood.

[10:23:02 PM]

This covers medical appointments, including abortion care, time to seek medical attention following relationship violence or sexual assault. Without paid sick days, many working patients have to delay their procedures to find time to take off of work. The cost of abortion care ranges anywhere from \$550 to potentially thousands of dollars, and the cost becomes more and more expensive if you have to wait. Our plans clients cannot afford to miss out on wages, especially as they deal with unexpected costs that come with abortion care. Guaranteed paid sick days for Austin workers are simply a way to help make safe abortion more accessible. I'd like to share with you tonight a story about a young woman, Daphne, who called our hotline last year. Daphne is a single mom in Austin who works full-time as a local server at a restaurant. Anythings to taking care of her kids, she's primary caretaker for elderly parents who live with her. She needs to take time off to make sure her family is taken care of. When Daphne found out she was pregnant and knew she wanted an abortion, she had to delay her procedure until she was given two days off in a row. This significantly increased the cost of her abortion. Daphne's story is one of the many that we hear on our hotline. People who directly benefit from paid sick days, and we urge you to vote yes on this policy tonight and without delay. There's also one more note I'd like to add. [Inaudible] Is also an employer. We have three staff members and are in the process of hiring three more. As a small non-profit employer, we are proud to provide paid sick time, in addition to paid time off and living wage to all of our employment. We believe that non-profits are fully able to comply with this ordinance.

[Applause] And we look forward to all non-profits and private sector employers working in Austin to find a way to be able to do paid sick days.

>> Mayor Adler: Thank you.

[Cheers and applause] Please.

>> Good evening, mayor Adler and councilmembers. Thank you so much for the opportunity to speak today.

[10:25:03 PM]

My name is Alexa Garcia and I'm the communication director at pro choice Texas. As a small non-profit employer, we're proud to live our Progressive values by providing paid sick time and paid time off to our employees.

>> Mayor Adler: One second. Is Emily martin here? Is Maria [indiscernible] Here? You have two minutes. So we're going to grant you an additional minute.

>> Okay. Thank you. For 40 years, our statewide policy and advocacy organization has been working toward a future where every Texan has abortion care free from political interference and shame. We organize in Texas communities like Austin to rally support for abortion access and grass roots initiative that ensure reproductive justice for all. That's why we're here tonight on behalf of our nearly 20,000 Austin supporters to urge you to vote yes on the proposed paid sick day ordinance without any delays. Every Austin worker deserves the opportunity to take time to access health care, including abortion care, take time to care for an injury, condition, or sickness, and time to seek medical attention or legal action following an incident of domestic violence or sexual assault without fear of losing their jobs or wages. This is a reproductive, economic, and racial justice issue. It is a feminist value and a family value. As you know, over the last several years, the state legislature has mounted a devastating attack on reproductive health care, including abortion and contraception in our state. With your abortion clinics forcing Texans travel for services and a state mandated 24-hour waiting period, working Texans must take at minimum two days off of work to access abortion care. Many people are unable to take that time off and are forced to delay services, making abortion more expensive. In addition, due to discriminatory coverage bands, abortion care is not covered by state, federal, or private insurance in Texas. This means that people seeking abortion in Texas have to unjustly pay out of pocket.

[10:27:06 PM]

We're grateful to councilmembers Casar, kitchen, Garza, and mayor pro tem tovo for championing this ordinance because it is a simple way to make abortion care more accessible in our community and ensure that people won't be forced to further delay their care and rack up additional costs. We'd also like to thank mayor Adler, councilmembers Renteria and Flannigan for expressing your support.

>> Mayor Adler: Thank you.

>> Thank you so much and we urge you to vote yes on the ordinance.

>> Mayor Adler: Thank you.

[Cheers and applause]

>> Mayor Adler: Let's go ahead and let's go ahead and call up Mary batland. Is Chris Wagner here? Is Allison rubenak here? Ms. Batland, you'll have two minutes when you come up. Phil Brady, is he here? Is Jose Rocha here? Mr. Batland, you have one minute when you come up. Please go ahead.

>> Yeah. Ryan rash ert, district 5, Ann kitchen. I guess I'm hearing a lot from business owners that they are concerned that there will be an effect to their bottom line, but there are a lot of other things that business owners want, like employees that have a long-term commitment to their company, people who learn the ropes and don't need a lot of instructions, people who can handle difficulties because they have experience, and having paid sick leave speaks to all of those needs. Young people want to find meaningful work, a vocation, so to speak, and I don't think that we should be punished for trying to do that. If you're not looking for a, quote-unquote, good job in an office, coding or some such, there's a lot of economic things stacked against you, and I think that we deserve long-term financial stability, especially for a company that we have invested a lot of time in, and that is accrued sick leave.

[10:29:07 PM]

[Buzzer sounds] When, not if, I get heat exhaustion this summer, I would really like a day off. Thank you for your time.

[Cheers and applause]

>> Mayor Adler: Let's call up a few more people to please get in line. Thomas she hee, Nicki

[indiscernible]. Either one. Sir.

>> Mayor, can I confirm that I've been donated time? Brian mcgiverin?

>> Mayor Adler: Do I have two people that want to come down? I need two people to come down to donate him time.

>> I already donated.

>> Mayor Adler: Got it. Okay. Three minutes.

>> I didn't mean to cause disorder.

>> Mayor Adler: That's okay.

>> Two things. First, well, my name's Brian mcgiverin. Two things. First, I operate a small law firm and also a small non-profit, and I would just say that I would be proud and happy if both were included within the subject matter of this ordinance as it's laid out. I firmly believe that doing justice in the world has to be built on a foundation of doing justice at home first. Second, with regard to the legislature, because many people have expressed that concern, although it's by no way a foregone conclusion that the empire will strike back --

[laughter]

-- As a civil rights attorney, I'm sort of a curator of long-shot causes sometimes. I firmly believe that even when you experience a setback, that can still be a victory when it inspires other people to do good work. I'm going to cheat a little bit by reading a quote, but I don't think anyone has said this more succinctly or more astutely than Robert Kennedy when he visited South Africa.

[10:31:07 PM]

It's from courage and belief that human history is shaped. Each time a person stands up for an ideal or acts to approve the lot of others or strikes out against injustice, they send forth a ripple of hope. In crossing each other for millions of different centers of energy and daring, those ripples build a current which can sweep down the mightiest walls of depression. So go on and do the right thing. Thank you.

>> Mayor Adler: Thank you.

[Applause]

>> I'm Bob batland, a member of temple [indiscernible]. Paid sick time is a basic cost of doing business. It is needed to protect workers, families, clients, customers, school children and school staff. If an employer's business plan requires employees to work while sick, or expose others to sickness, to strive -- thrive, such a business is not viable regardless of its size.

[Applause] The concept of paid sick days was mentioned as a priority in the state of the union message. The city does not need to study whether or not this is a good idea. The proposed city ordinance is simple and straightforward. Changes that plymouth applicability simply due to the number of employees or the type of employer would be unacceptable. The proposal covers more employees than policies in place in some other cities. That positions Austin as a leader in employee protections and should be celebrated. Our council should not choose to cover fewer employees out of fear of the unknown.

[Buzzer sounds] Postponing to contemplate waiting for additional study or depriving our workers of this benefit because the state may do something hurtful next year would go against anything that makes Austin, Austin. Let's get this done.

[Cheers and applause]

[10:33:12 PM]

>> Mayor Adler: Mr. Goff, you have donated time in James Casey. Is Mr. Casey here? You have two minutes, sir.

>> Eric Goff. I'm a small business owner with the compost peddlers. It would be easy to comply with this. It's clicking a button on payroll software. If we didn't do it, it would take us 15 minutes of compliance time. Following that, the ongoing costs of doing this are well worth it. People were already taking time off if they're sick because you can't collect compost when you're sick, if you're weak, so

people don't -- going ahead and taking time off and being paid for it is the right thing to do, and we're happy to do it. I wanted to tell one other story to make you feel good about what you're doing. When -- several years ago, we weren't paying a living wage, now we are, and we realized to do that and make that work, we'd have to slightly raise our fares and our prices, so we raised our prices. We emailed all our customers, said what we were doing. Of hundreds of customers, only one cancelled and we got dozens and dozens of emails thanking us for raising prices to do a fair wage. So this is a good thing. You should do it, and feel good about doing it, and please don't delay. Thank you.

[Applause]

>> Mayor Adler: I'll try and call down a few more people. Thomas, Sylvia Martinez, Nicki nabain, Bryden Mcneeley. Franklin. Nathan walldock. Nathan walldock, and let's try Jim Murphy.

>> I am Mary Lou batland, reading a statement by rabbi Allen Friedman.

[10:35:15 PM]

In last week's torah reading, we found the commandment not to mistreat the stranger because you, the israelites were strangers in Egypt. This commandment appears 36 times in torah, but last week the demandment was a little different. The text read not to oppress the stranger because you know the feelings of a stranger. Torah commands us to not only refrain from taking advantage of others but also to act out of empathy. This is what this council is called upon to do this evening. I would imagine the members of this council are strangers to a world in which they fear illness because to be sick means not being able to pay the rent, put food on the table, or much less, pay for the medical care they would need. This evening, however, we need to feel the anxiety of one who knows that getting sick means losing wages. We need to feel what it must be like to work next to someone who is ill, but who dragged themselves in to work when they really should not be there. When we, as a city, and this council in particular, show empathy in this way with those for whom illness is an economic disaster, you are compelled to pass this ordinance. Various employers, particularly small ones, may object. This is always the case when the subject is more equitable treatment of workers. In the case of requirements, such as minimum wage, employers figure out how to adapt to the marketplace. I find it hard to believe that the expense of a few days of paid sick leave in the course of a year is too much for our local employers to absorb in an economy in which fast food workers often command a starting salary of \$12 per hour. I hear concerns about the so-called rapidity of this ordinance moving forward but paid sick leave has been a fairly standard benefit for most workers for decades, and this ordinance, in particular, has been on the docket and under study for months.

[10:37:18 PM]

What more is there to learn? What additional data would make a difference in bringing justice?

In the words of the sage: If not now, when? I also understand concerns about this ordinance being overturned at the state level during the next legislative session. That might happen. But in the year and a half before that might occur, the economic culture of our city will have changed. Hopefully, never to go back. If the ban on plastic bags were to be overturned, do we think that plastic bags will return to stores to the extent they once were? Our city culture has been permanently altered in that regard, and this would also be the case with paid sick leave. We have to be true to our culture and our values as a city and let the state do as the state does. Let this council and this city move ever further to relieve the economic pain that now companies illness for so many of our fellow residents.

[Buzzer sounds] Please pass this ordinance tonight.

>> Mayor Adler: Thank you.

[Cheers and applause]

>> I believe I have some added time? Candace Aylor.

>> 136.

>> Mayor Adler: 136. Is Scott buttkey here? Thank you. Is Mike Lewis here? Mike Lewis? You have two minutes.

>> Did --

>> Mayor Adler: I didn't see Mike -- oh, there's Mike. Is Mike here?

>> [Off mic]

>> Mayor Adler: Have you already used time? No?

>> No.

>> Mayor Adler: All right. Come on down. You have three minutes.

>> Thank you. First of all, my name's Candace candaceylor. If I have anything to say about it, the legislature that we have in 2019 will not focus so much on trying to overturn the things that cities like Austin do.

[10:39:28 PM]

I'm here tonight as a nurse. I've been regional nurse in Texas for 16 years, and I specialize in public health. I support the paid sick days ordinance. As an activist, I'd also -- I would have supported it with the 12 days, I would have supported the original draft from councilmember Casar. I -- honestly, I'd like to see an end to tip wages, but that's something I would do as a legislator, hopefully if I'm elected. But why would I support this ordinance? As a nurse with experience and understanding in public health, as we see 38 people now died from the flu in Travis county alone, the reason that we need people to be able to care for themselves is so that they have their own health and wellness, so they don't infect other people when they are sick. And I do want to make a quick point that however people self-care, if that is

needing Sunday off, then so be it. But I have paid sick leave in my job. And it was pushed to its limit. Since November 30th, I have had a family member with a tumor on his spine that was in the va for 30 days. And I have family member who had to have their leg amputated twice. They are currently in the hospital with additional infection in that stump. My wife did not have paid sick leave, and at the end of that bill and that surgery that I had in November, that hysterectomy that I had put me out, and she needed to care for me. Right? So when I got the flu at the end of all of that, if that wasn't enough and she had to care for her mom and me and try to figure out how to work with the family, she doesn't have paid sick leave.

[10:41:40 PM]

And how she didn't have paid sick leave, working 40 hours for H-E-B a week as part-time, I don't know. But they got rid of her. They ended her job because she was taking too much time to care for her family. We are a family of privilege. And lack -- the lack of paid sick leave has hit our family hard. I can't imagine what this kind of --

[buzzer sounds]

-- Impact has to families in marginalized communities. So as a nurse, as an activist, as a member of this community, I urge you to pass the sick day ordinance tonight.

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

[Cheers and applause]

>> Mayor Adler: Please introduce yourself.

>> Hi. I'm Thomas sheehee. I'm here with Austin dsa, I'm an employee with the internal revenue service. I get an extremely generous paid time off and paid sick leave through my employer. And I urge you to pass this ordinance. I think this is a privilege that should be given to all workers. Any job that's worth a wage and being paid is a job worth giving a living wage and good living conditions, and I think paid sick time is an essential part of that. Sorry. I feel really anxious. Solidarity forever. Thank you.

[Cheers and applause]

>> Mayor Adler: Can we go ahead and call down a few more names? Is Virginia bandio here? Badillo? What about Seneca Savoy? What about Sofia morales?

[10:43:44 PM]

Jesus Nunez? Jesse carpenter? Alandra Johnson? Alandra Johnson. Come on down. Amanda Cavazos Weems. Take your time but come on down. Then what about Jensen sotofund? Please, introduce yourself.

>> Hi, everyone. My name is Celia Martinez. I'm a member of workers

[indiscernible] And also I'm here to support the paid sick days, as a mother, as a wife, as part of the community, because I believe the people needs -- when you get sick, you should be home. I know the feeling to be sick and go to work. My kids are grown up already, but I'm not here for them. I'm here for the moms, the single moms, the moms to have the send their kids to school sick, and also because last year I've been in the hospital for a week, and my husband, he's not -- he's not get paid sick days. I've been there. I need his support, and unfortunately, he wasn't with me. That's why it's one reason to bring me here to support those paid sick days. Also, I believe that paid sick days should be a right, not privilege, because I ask you -- everyone, are you -- who not get sick?

[Buzzer sounds] Unfortunately, low income people pay the consequences because we need that. And also I ask you, Ms. Ora, to support this with your vote because I'm from your district, and I believe new.

>> Mayor Adler: Thank you.

>> Thank you.

>> Mayor Adler: Thank you Ver Y much.

[Cheers and applause]

[10:45:48 PM]

>> Mayor Adler: Please go ahead and introduce yourself.

>> My name is Brian Mcneeley --

>> Mayor Adler: I'm sorry, what did you see?

>> I'm bryde in, I'm a local 1624 member, member of the young active labor leaders. First off, in my workplace, over 65% of my coworkers were sick this year. It didn't matter if units were big or small, it didn't matter if they were high skilled or least skilled, everybody gets sick. I want to talk about the business concerns. It's been said this process has been rushed, that business leaders have been disrespected. I went to those stakeholder meetings. A lot. Other folks that supported this have as well. This hasn't been rushed. We've known about this since labor day. If folks wanted to have other information about it, there's been plenty of time to think about it. There's been lots of time to have other suggestions. Business leaders are upset because we organized. Business leaders are upset because we're fighting for our rights, and for what we know we deserve, to make Austin an affordable and livable place. Y'all campaigned on fighting for the people in your district. The people in your district that need you the most are the working class folks.

[Buzzer sounds] Fight for working class folks, don't fight for their bosses. Thank you.

[Cheers and applause]

>> Mayor Adler: Mr. Franklin.



>> Fink, councilmen, mayor, welcome Mr. Cronk. My name is Darnell Franklin. I live in district 10. I'm begging for us to get this deal done today for the simple fact 65% of the people in my job have had the flu, and I missed ten days and had to be without money for a week, and it really hurts. I have a brother that also -- I'm a caretaker for, so it really would be good because not only me, my brother, and I'm thinking about even my coworkers, all these people that lost all this time already, and the year ain't even halfway out.

[10:47:57 PM]

Please get this bill passed today. Thank you. And have a good night.

[Cheers and applause]

>> Mayor Adler: Sir.

>> Good evening. My name's Jesus Nunez. I'd like to use my time to show a video.

[Video playing.]

>> ...Co-sponsors of the ordinance, bringing it tonight. We certainly feel the urgency of this matter. I also want to say that I'm really happy that we were included in the conversation surrounding this ordinance leading up to this vote. We feel like that every concern that we've had has been addressed. The paid sick leave ordinance has language in it about equity and diversity. We feel like this is the right thing to do for our employees and we will be implementing paid sick leave ordinance going forward. So we're happy to do that. And we have a small budget. We feel like as a non-profit, with a small budget, if we can do it, certainly other businesses in Austin can do it. So thank you very much.

>> Mayor Adler: Thank you.

[Applause]

>> Mayor Adler: Thank you. We're on a roll here. Let's call down a few more names. Amanda Cavazos Weems. Jensen Sutterland. What about Braden Hawkins? Okay. Is Andrew Herrera here? Is Grace Cobble here? Mr. Hawkins, you have one minute. What about Robert Brill?

[10:50:04 PM]

And Sarah Swallow? Annalies Cornelli. Are you Sarah Swallow? Okay. Blanca Veal. Is Blanca Veal here? Detainer Huff.

>> My name's Nathan, with the International Brotherhood of Electrical Workers. I'm sick and tired of companies exploiting cheap labor or just labor in general to turn massive profits. It's time to put more value in the working families that support the city. That is all I have to say. Thank you very much.

[Cheers and applause]

>> Hi. My name is Amanda Cavazos. Can I check if I have some donated time?

>> Mayor Adler: Hang on a second. Let me check here. Amanda, what about -- is Digna --

>> She went home because she was tired.

>> Mayor Adler: What about Gabe Rodriguez? You have two minutes.

>> Like I said, my name is Amanda Cavazos Weems. I'm co-chair of young active leaders in Austin. We are a number of the work strong Austin coalition. We've been involved in this fight for a paid sick leave ordinance since it was launched back in September, and we have stood in solidarity with our partners as we reached out to the entire Austin community. We've been on block walks, we've done phone banks, and we visited workers at their place of business to talk to them about this ordinance, and they are really excited. A lot -- the guy who I bought the coffee from took them out to my car, he was so excited that we were here discussing this tonight.

[10:52:09 PM]

And we got over 920 signatures on our petition, and those are all your constituents that are really looking forward to using their paid sick time in the future. And I want to really quickly touch on another thing. I'm fortunate that I have paid sick leave, but the reason why I'm in this fight is because providing for the fundamental dignity of all workers is one of my core values. I think it's something shared across faith communities, and everyone deserves to be treated with dignity and respect on the job. So I urge y'all to vote in favor of this ordinance tonight. Thank you.

>> Mayor Adler: Thank you.

[Cheers and applause]

>> Hello. I'm Jensen Sutherland.

>> Mayor Adler: I'm sorry? You have time? What's your name, please?

>> Jensen Sutherland.

>> Mayor Adler: Is zorema here? Thank you. And is Valerie Benavides here? You have three minutes.

>> Cool. Thank you. Okay. So I'm Jensen sutherland. I'm a student at university of Texas, and I'm also a part-time employee at a non-profit organization, the Texas freedom network, which has been working with some other amazing organizations to organize our community, to get this vote passed. We all want paid sick leave for all the workers and parents in Austin, but also for the students who are here in Austin. I am one of thousands of students living here, studying here, who also has a job. I love my studies, but it takes a lot of time out of my day, and then I go to my job, which I love, but it also takes a lot of time. And it's really hard to juggle all of that when I'm healthy. So being a sick student is especially burdensome. The attendance policies I know you can't do anything about, but they aren't always helpful

when you're sick, so we have to sometimes sacrifice our education for our health and we shouldn't have to also sacrifice our wages to take care of our health.

[10:54:12 PM]

So I'm here in support of paid sick leave for all austinites. I am a proud resident of Austin, district 9. And -- yeah, I just also want to say that this would benefit students, it would benefit all of Austin, and non-profit organizations are in support of this. My non-profit, Texas freedom network, so many others, they're working to get this rolled out for part-time workers like me for all of the workers in Austin. Okay. Thank you.

>> Mayor Adler: Thank you.

[Applause]

>> Mayor Adler: Let's also call up Ken zarifi ser you have time donated by Ann Lewis. Is Ann Lewis here? What about looks like just one minute. Go ahead, please.

>> Hello, council, mayor. My name is [indiscernible] Hawkins, student at UT Austin, district 9. I'd like to thank the council for the work they've done to get to this point. When I was young my parents got a divorce. It's pretty common these days. From then until I was in high school, my mom raised me as a single mother. She had no degree and had been in the workplace over three decades. I've never talked about all of the details with my mom, I was too young at the time to understand, but I was aware that struggling. Because of this ordinance I decided to reach out and ask her about that period of our lives. She never had a job that gave her paid sick leave, to take off and take care of herself or myself. I was not aware at the time, but we really weren't that well off. Despite this, I grew up very privileged. My mom pride me with every single opportunity I could have asked for. I was able to do sports, school, troops, band, whatever. She always made sure I had the opportunity to do it. She told me during this time she attended work sick numerous times, which she considered almost uncountable amount.

[10:56:13 PM]

She could not afford to take one single day off for any reason, not only did we need the money, but she needed to keep her job. I can honestly say without my mother's sacrifice working every day, I would not be living in the city or attending this university. No parent should have to make that choice between their child's future and their job and their life.

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

[Cheers and applause]

>> Mayor Adler: Is Glenda Mckinney here? Glenda Mckinney, you can come on down. And what about James Weems? And then what about Lindsay lambert? Mark cronk -- cronke? Okay. I think you're up.

>> Good evening, city council. My name is Sarah swallow. I'm a resident of district 7, and I'm a tseu member, working in the health and human services commission. I have paid sick days and a lot of other benefits, but I'm an advocate for the working poor, and I really hate that it's so hard for us to get something passed to help working people. It has taken us months and months. We've had some great allies here on the council, and I've worked with a lot of really awesome people, but, you know, the fact that we still have to compromise and that it still takes this much effort and this much organizing just to get this far, we're not even getting 100% of what we wanted. It's -- it makes me sad, but I also am very happy that we have such great leadership from people like Greg Casar, Kathie tovo, the mayor, Delia Garza, Ann kitchen -- did I get everybody? Councilmember Renteria. Thank you very much to those who stand up for working people. We know the federal government isn't going to do anything for working people this year nor the state legislature.

[10:58:15 PM]

Thank you for being here.

>> Mayor Adler: Is Bianca Villarreal here?

>> Okay. So, yeah I was saying I volunteered at the fight for 15 for a while, and, you know, at this point we really can't get the legislature to rate minimum wage. We're stuck at 7.25. It's been that way for a while. Less minimum wage increase went from 5.15 to 7.25. We are extremely behind. I think all of y'all know that. We can't move on that issue any time soon. This paid sick days is not near as much as a \$15 minimum wage when you talk about cost. It's such a small thing compared to \$15 minimum wage. Of course the businesses are fighting it anyways, but it is something that we can have for the working poor and not just them, also many people in the middle class. But I'm just really glad that we are taking some steps towards that. We are doing something for the most vulnerable people in our society and we know that a lot of things already go well for businesses in Texas. I mean, we're a pretty business friendly state so thank you all for trying to make things a little bit better for the working class for once.

>> Mayor Adler: Thank you.

[ Cheers and applause ]

>> Hi, I'm a resident of district 3, and a small business owner in district 3. I'm a very small business owner at the current time it's just me. I haven't made the billing step forward to hiring my first employee. But when I do okay, I know they're going to get paid sick time because I know how I work best as an employee and that's just what I'm going to do. But I wanted to come here and speak to y'all about balance. I know you're -- as policymakers trying to get a balanced policy.

[11:00:16 PM]

You spent a lot of time and resources and money in the city on economic development and business development. That's on your agenda all the time. And it's worked. You can go out and see how it's worked in the city. But while the construction industry is doing great, service industry is doing great, it hasn't necessarily trickled down to everyone and you don't need to be an economist to see that. You can just go out and live and talk to people and know that. And you have an opportunity here today.

[ Buzzer sounding ]

-- To give a tangible direct benefit to working folks in the city, and rising tide is coming up, not lifting all boats but you can help out the boats today and I hope you will.

>> Mayor Adler: Thank you.

>> Thank you.

[ Cheers and applause ]

>> Can I ask how much time? I think I had time donated. I think someone just donated. I think we just got some.

>> Mayor Adler: Do you have people in one more minute. So you have two minutes.

>> Thank you. Thank you, mayor Adler, mayor pro tem tovo, my councilmember Casar, thank you all so much for your leadership. My name is Ken, president of education Austin. The teacher and school employees union for aid. Teacher of 12 years at burnet medical school, Imm middle school father of three children and a dad. I come tonight for the same reason as everybody else. When I took over as president of education Austin I was diagnosed with stage four cancer. If it hadn't been for sick leave I don't know what I would have done and I don't know what my family would have done. I was a beneficiary of sick leave. My local, local 2048 education Austin provides sick leave. I have seven employees. We provide sick leave and vacation time because it's the right thing to do. My father, who ran a business for 40 years, proudly provided sick leave.

[11:02:17 PM]

When I asked my sister the other day, do y'all still do that? She says I don't know why we wouldn't. And our whole community, 7,000 people in a small town still do and it's the norm. Why isn't it the norm here? I took my children back home tonight to come back down here to testify and as I drove into this -- back down into the city I see the skyline, I see the cranes, I see the business, I see all the production, and all the growth. Many decisions have been made from this dais over the last 20 years to benefit business. And it's about damn time that decisions from this dais benefit workers in this city.

[ Applause ] I am -- I'm here to encourage you to do what's right. To stand up not just for some, not to cut a few, but that we do what's right by all, not some, but every worker in this city. Because I don't believe that anybody that come up here to testify on the side of business -- I did not see any of their workers follow them to the dais.

[Buzzer sounding]

-- Did not see any of them say what great benefits they have. Please stand up for workers.

[ Applause ]

>> Mayor Adler: Thank you.

[ Cheers and applause ] Let me call a couple more names here. I think I called James Weems, Lindsey Lambert, Mark Cronke, [indiscernible] Keith, Ryan Simpson, Ryan Pollock, when Ryan Pollock comes down here make sure you ask me to check names. Jacob Asmusen and Emily Tim. Any of those people here? What about Mike A. Axle Martinez.

[11:04:18 PM]

Okay. And then Orianna Leake. What about Haley Mack. Haley Mack. Okay. Go ahead, sir.

>> Thank you, Mayor, Councilmembers. My name is Darren Huff and I live in District 7. I've spent my career valuing and investing in businesses. I'm a chartered financial analyst designee and received my MBA from Columbia Business School having separately studied under the director of research up at the Dallas Fed a Nobel Prize winning economist the guru to Wall Street gurus. I warn when you a wealthy business owner tells you they can't afford something don't take their word for it.

[ Laughter ]

[ Applause ] This is the same debate that we've had about child labor, collective bargaining, safe work space, eight hour workday. Of course we can afford paid sick leave. A sick worker will spend those extra few dollars of benefits on necessities. That money stays circulating in the economy and keeps its yes, there maybe a minuscule amount of associated inflation and little price increase but what it boils down to is a small transfer from the rich to the poor. As we blow past wealth and equality records seen in the gilded age and it's funny that somebody can get emotional about economics but we have to remember the society we aspire to be, maximizing not just wealth but most importantly our collective well-being. Thank you.

[ Cheers and applause ]

>> Mayor Adler: Thank you. Please.

>> My name is Lindsey Lambert in District 3. This is such an intersectional issue. As a rape survivor I am here for the rape survivors who could not rely on the kindness of their workplaces, as I did years ago, after being drugged and raped on a Thursday night and having to spend all day the following Friday at the rape crisis center and then at the police department and then at the hospital to get a rape exam.

[11:06:31 PM]

When I tried to file a restraining order against the man who drugged and raped me I had to take off another day of work to spend all day in the courthouse only to have his lawyer postpone my court date, resulting in me having to take not one more but two more days off for a court date that never came. For those of you keeping a tally that's four days that I had to take off of work just to report, just to get a rape exam, just to try and get a restraining order. This does not include the number of mental health days I needed during a very dark time. Paid sick leave is an intersectional issue but make no mistake, this is a women's issue. As women we're told when you're raped, when you're the victim of domestic abuse, go report. Go to the police. But for all of the women workers without paid sick leave or vacation time.

[ Buzzer sounding ] When, pray tell, should they go to report? Thank you.

[ Cheers and applause ]

>> Mayor adler: please go ahead.

>> Okay. I'm [indiscernible] McKinney, howdy, I live in district 9 and precinct 311. So I'm a voter who watches these things. I'm here to tell you that although businesses might think that this is a burden on them, they are mistaken in many cases. Some number of years back I was pregnant. It was a fairly high risk pregnancy. There was some issues, and while I had good health care and paid time off as part of my salary, the people that I worked with who were hourly had no sick time off and so one of my coworkers came in with the flu and was at the office for two days with the flu and gave it to me and I ended up having to take a month off.

[11:08:59 PM]

They could have paid him two days to stay home and had a month of my time.

[ Buzzer sounding ] But they didn't. And this was a huge employer. So businesses may not always be thinking the right way.

>> Mayor Adler: Thank you very much.

[ Cheers and applause ]

>> Mayor Adler, councilmembers, manager cronk, welcome, manager mark cronke, I'm an electrician from Austin, Texas, ibw520. I'm speaking in support of this. I want to thank everyone that's worked on it, councilmembers, dsa, workers defense. Tonight makes me -- gives me hope for democracy and makes me proud to be from Austin, Texas. Thank you.

>> Mayor Adler: Thank you.

[ Cheers and applause ]

>> Mayor Adler: I'm going to call a few more names. Hang on one more second.

>> Sure.

>> Mayor Adler: I've called Ryan Pollock, Emily Tim, Mike aye, axle Martinez,

[indiscernible] Leak, Haley Mack, Julia Cransthor. Karen Hayden, Charlene Gelb, Bridget Tobin, and Lauren Ross, Rebecca Este, Katherine Pace, okay, go ahead exhibitor.

>> I believe I had time donated, too.

>> What was your name?

[11:11:01 PM]

>> Ryan Pollock.

>> Mayor Adler: Hang on a second, Ryan. Is Angela Garza here? And all -- was that a yes? Ms. Garza, are you here? I don't see that. You have one minute.

>> I'll donate.

>> Mayor Adler: Come on down and give your name. Two minutes.

>> Okay.

>> Mayor Adler: Hang on a second and Omar Cader.

>> Donate be my time to Ryan Pollock?

>> Mayor Adler: That one I got. Give him your name. Three minutes.

>> Good evening, council, my name is Ryan Pollock, resident of district 3, what's going on, Pio? I'm an IBW520 union electrician and member of Austin Democratic America. I wanted to speak small businesses and how they impact our communities. Although I point out a neglected truth about these businesses that goes against the narrative that they and organizations like the chamber of commerce are trying to push here tonight. A common argument against the ordinance is that it may hurt small businesses and that some businesses may not be able to afford to comply with -- if this ordinance passes. They'll tell you they're the important cornerstones of their community and not be able to sustain the hardship of paid sick days and tell you to prioritize their existence over the welfare of their employees. I'd like to point out that small businesses are not in fact the basic offenders of prosperity that they'd like us to believe. On the contrary they're -- small business owners like to paint themselves as heroic underdogs fighting against evil condensations when in reality this tall tale is a selfish act of promotion. In no way is my argument a defense of corporations however it does not mean that small businesses deserve to be put on a pedestal as they pay lower wages, provide worse benefits than corporate competition and exempt from important worker protections.

[11:13:02 PM]



According to the quarterly census of quarterly wages in the first quarter of 2017 businesses with 1,000 or more employees paid an average weekly wage of \$1,793 while businesses with five to nine employees paid only \$849 a week, less than half the amount that larger companies pay. In 2016 99.8% of businesses with 1,000 or more employees offered health insurance. For businesses with nine employees it was only 20%. Under the U.S. Labor code individuals working for an employer with fewer than 20 employees are not protected against discrimination by their age. Individuals in the company of fewer than 15 are not protected from discrimination by race, gender, religion, or disability. These discrepancies in protection and compensation are a large -- negatively and disproportionality impact more marginalized vulnerable citizens while owners of businesses profit and thrive. These discrepancies also don't exist by coincidence. Small businesses lobby to be exempt from regulations and ordinance that protect and serve workers in large firms. Just as they have been doing here in Austin as part of a campaign to malign the fight for paid sick days the businesses of Austin have lobbied individual, lobby as organizations such as the chamber of commerce and even get in bed with disgusting and destructive people such as the Koch brothers. This is exactly what's going on here tonight. Businesses are logic to put themselves before people, putting businesses before the health of our city.

[Buzzer sounding] What.

>> Is their business if they keep workers from caring for their health and spreading disease, if they keep others down just so they can survive. I urge you all to put people first, not business.

>> Mayor Adler: Thank you.

[ Cheers and applause ] Sir.

>> Good evening,

[indiscernible] Martinez, resident of Austin and a member of Austin dsa.

[11:15:05 PM]

Prior to living in Austin I spent six years in England where I did have paid sick leave. Let me tell you coming back to Texas was absolutely sobering. Currently I'm working full-time with five herniated disks in my back due a bicycle accident which is, you know, fun. Here so in the universal declaration of human rights in article 25 it says everyone has the right to a standard of living adequate for the health and well-being of themselves and to their family, including food, housing, medical care and necessary social services and right to security and event of unemployment, sickness, disability, old age and other lack of livelihood and circumstances beyond their control. The fact we do not adhere to that is a complete embarrassment to the country and city of Austin and helmet I think the people of Austin have waited long enough. We absolutely have a situation right now where we are putting workers' lives at risk and healths at risk and I think most people behind me agree with me right now. We have waited long enough to have something as basic and fundamental as paid sick leave.

[ Cheers and applause ]

>> Good evening, Haley Mack, I live in council district 8. And I want to point out I think there's a bit of a misnomer because I think what we're asking for is health days and I'd like to point out that sometimes in the course of normal events in life there are joyous reasons we could use a health day or two that's paid. In my own circumstances I'm fortunate actually to have paid sick days. Right now I learned I guess in midangle that we have a congenital kidney disease in my family that thankfully is slow growing in most people so we didn't know it was in my family but with its course of progression it leads to kidney failure. I've been evaluated for kidney donation and so far am being turned down because my cardiac function isn't sufficient to support the surgery.

[11:17:10 PM]

But it's not quite low enough to -- at least while we're still assessing it to see whether it need to be transplanted as well. I'm here speaking for people of that health issuing that aren't here tonight.

[Buzzer sounding] Because not everybody can be. And it is an issue of dignity to allow people to work out the health issues that they have. And I appreciate all the work that this committee has done.

>> Mayor Adler: Thank you.

[ Applause ]

>> Mayor Adler: Let me call a few more names here. I called Karen Hayden. Charlene Gelb. Bridget Tobin, Lauren Ross, Rebecca este, Katherine pace, Guadalupe Martinez, Sandra Miranda, Alejandro Gonzalez, baddazar Vasquez, Juan Guerrero, Colby Duhan, Joey gidsig, Jacob aranowitz. We'll start here. Thank you. Who's next.

>> I believe I am.

>> Okay.

>> My name is Emily Tim. I'm the senior organizing director at workers defense project and workers defense action fund. I wanted to speak in favor of the paid sick ordinance as a mother, as an advocate and as a voter. I'm the mother of an 8-month-old little girl and the first time she got sick I was able to stay home with and be home with her and I don't feel that should be a privilege that only certain people have in our society, that people need to be able to take time off to keep themselves and their families health.

[11:19:18 PM]

I'm here in support of that as a basic value of Austin. I also wanted to speak as my -- in my professional role in workers defense action fund. I've had the opportunity in my capacity there to meet with many of you individually with our members in order to have conversations with you and in 2016 we spoke with

many of you and at that time as part of our endorsement process many of the current councilmembers did receive endorsements from workers defense action fund based on.

[ Buzzer sounding ]

-- Support for a paid sick ordinance and I want to celebrate the opportunity for you to fulfill that promise to our members this evening with a vote. Thank you.

[ Cheers and applause ]

>> Mayor Adler: Is Julia cransthor here? You'll be up next.

>> Hi, my name is Rebecca este, a member of Ora Houston's district, district 1. I want to thank you all for being here so late in the evening and I especially want to thank everyone that has put in so much time, effort, thought, and consideration in listening to get the bill where it is -- or to get this ordinance where it is today, especially when taking in account all of these different voices when I know that workers feel the stakes and urgency so high. I think that it's been stressed how important and how much -- how needed this bill is in terms of, like, what kinds of harm it can prevent. I also think that it's important to acknowledge -- and I also have to say as a social worker that that's something I see working with vulnerable people every day. This ordinance wouldn't just be protecting our workers. It's also protecting the people who encounter them. It also offers us an opportunity in Austin to stand for and offer health, healing, and safety. This isn't just about what it can prevent but what we can do. Thank you.

[ Cheers and applause ]

[11:21:23 PM]

>> Mayor Adler: Is Anthony Duran here? Anthony Duran? David Durbin here? Did I here a yes? You have two minutes.

>> Thanks. Thank you all. My name is Julia cransthor, secretary treasurer of the young active labors leader in Austin. I bartended and waited tables in Travis and Williamson counties for eight years, loyal employee. During that time only worked for four restaurants, all small business owners. I held various positions including management and I can relate to the struggles that small business owners face. I appreciate the need for infrastructure to be supportive of their needs. However, this policy does not unduly burden such businesses. For the duration of my tenure I was never offered health insurance or paid sick leave. It costs hundreds of dollars to visit a doctor and miss wages. I was always at risk of losing my job as a consequence. Small businesses should not be considered frailties that cannot survive without shifting the costs on to the consumer or employees. Instead they need to take responsibility for their employees and not predicate their business model on exploit og their workers -- exploiting their workers. There is no need to choose between profits and people because this policy allows us to achieve both. I am certain that this policy will reaffirm the value that workers provide to their employers, protect the public from illness and allow workers to care for themselves and their families when they are entitled to do so. We are a vibrant and crucial component of the economy and deserve to be treated

with dignity and respect. Let me reiterate that paid sick leave is not incentive for an employee who can make much, much more at -- by being present at their workplace to not show up.

[11:23:26 PM]

I also want to thank all of the small business owners who have been supportive here tonight so that we know who we're going to be patronizing next.

[ Cheers and applause ]

>> Thank you, mayor, council. I've thrown out my testimony because a lot of it has already been said here tonight. There's a few points I'd like to touch on. My Colby, president of the Austin young Democrats. Welcome manager cronk. I want to speak to a few points we've heard here tonight. A hr manager framed paid sick days as a fringe benefit of a job. I don't have time for that. Paid sick days like health care are a basic human right and it's time that the city joins the Progressive force in recognizing that. I also want to touch to the discussion about where we would lead in terms of what the legislature may think about this. Mr. Mayor, you've been adamant that Greg Abbott's views aren't necessarily welcome in this city sosy refuse to him to the likes of Paul workman and his kind. Workman made the same threats against the bag band and he failed just as he will do here again against this ordinance. I believe that.

[ Buzzer sounding ]

-- This council will and follow the lead of its citizens, lead by hope of a better future and not fear of the actions of those liked. Do the right thing tonight, vote down inequality and vote up the marginalized and working class.

>> Mayor Adler: Thank you so very much.

[ Cheers and applause ] I'm going to call a few more names cheer, Charlene Gelb, Bridget Tobin, Joey [indiscernible], Mike Tyler, Brittany ever -- yevertn, David Albert,

[11:25:36 PM]

[indiscernible] Watson, Chad bray, romteen farasat, Kayla Sones. Let's try that list and see how that goes. Sir.

>> Hi. My name is Jacob aranowitz, I'm a voter in Ora Houston's district 1. Nice night to see all of y'all, mayor, council. I'm a member of Democrat socialists of America, young labor active leaders I support this ordinance and hope that y'all pass it. A lot of y'all know me. I've campaigned for a lot of y'all. That's what I do. I do one thing. I knock on doors. That's what I do. And this issue isn't just important to me and the people in front of you in this room right now. It's important to the over 30% of workers across Austin

who have no access to this benefit, who have to choose between putting food on the table or making sure their loved ones and children are well-taken care of and healthy, who have to choose between keeping lights and water on or being sick and getting other people sick at a job, maybe endangering their lives and others. I encourage you to make the right decision tonight, to act in the interests of the constituents who elected you, to act in --

[buzzer sounding]

-- In the spirit of the movement that brought you to where you were and to recognize if you do, if you make that choice of conscious and principle and stand up with this community, this community will stand with you. And we'll make sure to put you back on that dais.

[ Cheers and applause ]

>> My name is Bridget Tobin.

>> Mayor Adler: We have two people signed up for owe, Roy woody.

[11:27:36 PM]

Is Roy woody here?

>> I'm donating my time. Just checking. What about Addison Winslow. Is Addison Winslow here? What? All right. You have two minutes. Someone waives at me you get to go to three.

>> Okay. My name is Bridget Tobin. I'm testifying in support and I'm a resident of district 3. I'm 25 years old, and I was born in Austin in the brentwood crestview neighborhood and lived there until nine years old, returning three years ago. And I've never had a job that provided paid sick leave. I've worked briefly as a substitute teacher but mainly as a political consultant for local campaigns. As I think you're all aware, campaign staffers are usually expected to work seven, sometimes six and a half days if you're lucky, no days off period, forget paid days off, often with a staff of less than five employees. We are all white collar workers but our benefits package would never reflect that. I've actually had to take a step back from my passion, working for political change, in order to find a job with benefits and an office. But the thing is I'm actually not here to talk about my work as a contract laborer. Last summer I was between political jobs and unfortunately my then boyfriend and roommate turned violent towards me and on August 7, 2017, I was thrown across the floor and my left wrist was broken, I was currently working at chili's bar and grill as a hostess and I came here to remind that you people involved in domestic violence situations are very often working women. Sometimes upper middle class women who are on the cusps of building their careers and earn paid sick leave from their employers. I wasn't there yet last August. I was part-time and my wrist was broken on a Sunday night when I was scheduled to work two double shifts. I went to work and with my wrist broken and went to the hospital.

[11:29:39 PM]

I left my ex that night and went back. In the weekends that followed the violence intensified. So I knew not going to work would only hurt our financial situation more, leaving him to choke and strangle me when I would ask if he could pay for some rent. It wasn't until six weeks later at the end of September I told my family.

[Buzzer sounding] I needed help and I'm one of the lucky victims. I consider myself very lucky no matter what happened. I was privileged to have the support system I did and get financial forgiveness my family to move out but not everyone has that. If you want to help the victims of domestic violence in a large and real way I can think of nothing more obvious than providing earned paid sick days to every worker. I ended up quitting chili's the week I told my family so I could make decisions immediately. Perhaps a paid Dave off would have helped my situation quicker. Truth fully I'll be okay. I know for a fact that a paid day off can and will help someone else dealing with this to get to safety quicker than I did. Please support this for every worker if you truly care about helping victims of domestic violence. We're really counting on you. Thank you.

[ Cheers and applause ]

>> Mayor adler:go ahead.

>> I'm professor David Albert. I live proudly in Pio Renteria's district, hi, Pio. Proud officer of the American federation of teachers in my local. I teach government at Austin community college, which incidentally does not offer paid sick leave to its 1500 adjuncts.

[11:31:45 PM]

Maybe we can work on that next. I'm here to speak for my student. Most offender them are the working poor. They are working -- trying to work their way out offender poverty and it's not easy. They're working at -- they're the folks who are working at these restaurants and retail jobs we've heard so much about tonight. They need to work so they can pay their tuition. Without paid sick leave many still go to work and get sicker and then they miss work and then they miss school, which means they miss my class and I don't like that. So please support my students. Do what you know is right. Do what is in your heart. Pass paid sick leave and pass it now. If the legislature come from our sick leave the able you see in this room tonight will March down the street and fight them under the pink dome. Solidarity forever. Thank you.

[ Cheers and applause ]

>> Good evening, mayor, councilmembers. My name is Ron

[indiscernible] I'm 21 years old, I'm a lifelong resident of district 4 here in Austin Texas. One of my favorite things about Austin can be understood in our saying "Keep Austin weird." To me what makes the fact that we wear our weirdness on our sleeve so special is it makes everyone feel like they have a place in our community. More and more as the cost of living rises low-income workers feel like they're losing their place here. Policies that fight for workers rights that provide the relief they deserve is exactly the kind of thing we need to do to restore that missing sense of community. Two years ago I served

tables at a restaurant on east Riverside which I won't name and the managers encouraged us to show up to work unless quote we were throwing up all morning. This ordinance is the breath of fresh air the workers need to restore the sense of community that has been missing from them.

[11:33:46 PM]

I am confident that you will make the right decision here tonight. Thank you.

[ Applause ]

>> [Indiscernible] Watson, I'm a district 6 member, but I very much care about district 1, Ms. Houston. As the property taxes increase, many can't afford to stay where they do. You guys continue to allow employers to move to Travis county that don't pay a living wage. We don't know what you guys -- what the government is putting in the air, but we know that the processed food is very bad for us, so how can you expect nobody to get sick? I think it's very inhumane if you're against this ordinance. I live in district 6 now, where I'm on the side of six that doesn't work for the tech companies. I'm considered the help. In restaurants that I've worked in, I've never had the opportunity to call in sick. I've worked for Dell computers while I helped hire 50 to 100 people. I've had contracts for the state where I helped staff the child support office. These are all jobs that didn't get paid sick days.

[ Buzzer sounding ] Even though I helped find those employees, I, too, didn't get paid sick time. You are allowing this city to become a dichotomy which it's already been. Stand up for the working women but also the working men.

>> Mayor Adler: Thank you.

>> As a black black man here in Travis county I'm almost extinct. Help us black, white, hispanic, formerly incarcerated emerge from hurdles by doing the right thing. We have enough issues here, right? The food insecurity. If you split the city and go west, there's more grocery stores on that side than the east side.

[11:35:50 PM]

>> Mayor Adler: Thank you.

>> But we need an ordinance like this that's for humanity.

>> Mayor Adler: Thank you, sir.

>> Thank you.

[ Cheers and applause ]

>> Mayor adler: anybody sign up I didn't call? Council, we are now back up to the dais. Mr. Casar, you want to make a motion.

>> Casar: Yes, I would like to move that we pass the earned paid sick time ordinance on all readings tonight.

>> Mayor Adler: This is the one that you passed out?

[ Cheers and applause ]

>> Mayor Adler: Mr. Casar moves passage of item number 49, all three readings. Is there a second to that motion? Mayor pro tem.

>> Casar: Mayor, the motion on the table is the result of months of work, many comprises and even more organizing. Just to lay out the differences, the differences are not great from what was originally laid out in January. But it does include many clarifying statements and includes a variety of the amendments that were presented by various councilmembers. The changes are those that were presented in the last work session, and then I want to explain the new changes. First it takes from the ideas presented by a couple of councilmembers to have different caps on total number of sick days for medium and large versus small businesses at an eight day cap for medium and large and a six day cap for small. It phases -- ramps up businesses of less than five into full compliance in October 1 of 2020, while making the effective date for everyone else October 1 of this year, with no fines -- well, the fines could begin to be assessed June 1.

[11:37:55 PM]

So there would be an education period between October and June without fines. It incorporates councilmember Flannigan's amendment to have it so that if a new business purchases or takes control of an existing business that workers would not lose their sick time and also takes word for word his good idea for an annual report being provided by the staff beginning after the first year of implementation. It also clarifies that workers cannot take more sick time -- sick time on more than eight days a year. It adds from the last ordinance a requirement that if you have an employee handbook that the sick time be explained in that handbook and it meets in the middle on the reinstatement-hours if you have been working for a business accrued sick time and stopped working for that business, if you come back within six months you're entitled to that sick time if you're gone more longer than six months you are not. Ultimately, this just bakes in everything that was promised during the last work session, makes those changes. I greatly appreciate my cosponsors and then also my colleagues that brought forward questions, concerns, and amendments to get us to this point. This ordinance, as laid out, achieves the goals that were laid out on labor day, which was to have an ordinance guaranteeing paid sick time somewhere between five and ten days for all private sector workers. That's exactly what we're doing and if we pass it like this I think it will be a model for other cities across the south.

>> Hell, yeah.

[ Cheers and applause ]

>> Mayor Adler: We're you want to dais. Is there further discussion? Councilmember alter.

>> Alter: I brought an amendment prior to this draft that isn't here yet.



[11:39:55 PM]

So I'd like to make that motion.

>> Mayor Adler: That would be good.

>> Alter: And I will pass it out.

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

>> Alter: Yes. Ownership I've actually --

>> Mayor Adler: Mr. Casar, did you pass that --

>> Alter: Changed it so the effective date for my proposal would be sooner. So this motion would create a new part six and thereby change part six to be part seven. So it read, part six, for an employer recognized by the internal revenue service as a tax exempt 501(c)(3) Organization this ordinance is not effective until October 1, 2019. And then there's a part seven that gets edited to allow for this part six. This does not create an exemption for nonprofits. What it does is it creates a small on wrap for 501(c)(3)s to seek new funders in order to transform themselves into gold star employers. And itch -- if I get a second I have some other remarks, if I may.

>> Mayor Adler: Okay. Councilmember alter moves to extend the effective date for nonprofits until October 1 of 2019. A year extension. Is there a second to that? Ms. Houston seconds that. Councilmember alter you can address it.

>> Alter: Thank you. I want to make sure I cover all my points and we've been at this a long time so pardon me for reading this. I appreciate the conversations that we've been having around this item and I want to thank my colleagues for the work that they've done on this policy. I also want to make it clear I do support paid sick leave as a practice. The issue here is the fact that we may not have had sufficient time to be certain we have worked out the details. They matter when your spouse or loved one comes down with the flu and they can't get out of bed and it also matters when your nonprofit needs to comply with this regulation.

[11:42:00 PM]

However, I'm prepared to support this ordinance should this amendment pass. I understand testimony has been made that nonprofits should be held to the same standard. We can't agree that every employer should be held to this standard and we can all agree that every employee gets sick and we can still recognize the reality that nonprofit organizations may not have independent funding streams to absorb unanticipated expenses. Grants often have restricted funds which means they are not allowed by the rules of their funders to move money from one item -- one line item to line item. They can be resilient to these changes if given enough time. Whether you're funded by grants, individual donations or

government contracts, nonprofit organization or already operate with almost no margin for error and it takes time to account for increased costs. Particularly when we've already seen that they have seen tax cuts for the wealthy passed at the federal level have eliminated incentives for charitable giving and had an impact on charitable organizations. I want to be clear, my amendment does not exempt nonprofits. It gives them sufficient time to prepare to absorb this change. I point out I changed this amendment from what I posted online in I reduced the amount of time we're giving nonprofit organizations from the two years we are giving microbusinesses to give nonprofits one year to prepare to offer this benefit. Nonprofits may already provide this, in which case the ordinance has no impact or this part of it has no impact and some nonprofits can afford to do this, which I would anticipate means they would likely roll out this benefit because they will want to remain a competitive employer when other entities offer this benefit. I believe this will have only a narrow impact for charitable organizations which may require additional time. Maybe there are no nonprofits that need this extra time. Since we're asked to vote on all three readings tonight I have no way to be sure. We're taking this action now. You'd be much more comfortable if we could make sure during this change that we're protecting the organizations that do the most good for our communities.

[11:44:02 PM]

Again, this will still make the ordinance a universal ordinance. It would simply give nonprofit organizations similar flexibility we are allowing for microbusinesses, which is interesting because unlike those businesses nonprofits can't just raise prices because that is not their business model. I truly hope that my colleagues will accept this small and reasonable request and allow me to thereby support this item today on all three readings.

>> Mayor Adler: Thank you. Debate on the amendment? Mr. Casar.

>> Casar: Mayor, I'd -- I would like to thank councilmember alter for posting this amendment and for shortening the time period of the ramp-up. I also really appreciate councilmember alter expressing her support for the ordinance. Even with that, I will be voting no on this amendment because I believe that we have already baked in the ability for smaller nonprofits to have a lower cap, larger ones to have a higher cap, and for the smallest nonprofits to have the longer ramp-up period so I think we've already addressed some of these issues. We had so many nonprofits on the support list. I know there was the one voice letter that was posted on the message board. It seemed rather vague and so I reached out to the chair of one voice. She ironically is on paid time off right now.

[ Laughter ] But the chair and she is entitled to it and I'm very glad she's taking her time but the chair from last year authorized for me to deliver the message, number 1, the letter should not be read to mean that one voice is asking to keep nonprofits out of the ordinance for a period of time and two that the letter simply met that they as an organization had not come to a final position on the ordinance yet. One of the nonprofit -- few nonprofits I've heard anything from was catholic charities and the catholic dioceses which was odd because the national organization was a stronger supporter of the federal law to give all workers in America seven paid days of sick leave so I'd rather listen to the U.S.

[11:46:18 PM]

Conference of bishops on that why she. While I appreciate the amendment I'll be voting no because some of the people that come and spoke to us from safe place, she could be taking hot line calls from people that work for big business or nonprofit. I think folks that work at nonprofits should have access to this benefit. We've comprised enough already. I'll be voting no but I do appreciate councilmember alter doing her best to address this issue.

>> Mayor Adler: Further discussion on the amendment? Mayor pro tem.

>> Tovo: I just have a quick question, councilmember alter, in your message board post you talked about your intent to distribute a copy of the one voice letter. Did you do that and it's just lost in my paperwork?

>> Alter: [Off mic]

>> Tovo: I would, thanks.

>> Alter: There was also a letter --

>> Tovo: I was going to say, as with the sponsor, I'm also going to stick with the version that we have posted and I'll be voting against the amendment, but I appreciate, councilmember alter, the perspective you've brought to the question.

>> Casar: Mayor?

>> Mayor Adler: Yes -- hang on a second.

>> Casar: Sure.

>> Mayor Adler: Councilmember kitchen.

>> Kitchen: I, too, appreciate the -- thank you for bringing this amendment. I think that we need to think about our nonprofits. But I am also going to stay with the ordinance as presented because I think it allows -- it already makes allowances for the size of the entity, which is the biggest impact on nonprofits. I mean, we have some large national nonprofits who I don't -- who should have the ability and probability already are hopefully offering paid sick leave.

[11:48:20 PM]

So I think that the size of the entity is more important to the time frame than whether they're nonprofit or not, particularly since, as councilmember Casar explained earlier, this already has a built-in ramp-up date in it, so -- and there will be no penalties until over a year from now. So I think that there is a built-in time frame already, both based on the size of the business and also the ramp-up time for educating businesses.

>> Mayor Adler: Mr. Casar.

>> Casar: I just wanted to make clear for my comments so I wouldn't be misunderstood that I am not implying anybody is construing the one voice letter to mean that they are asking for that ramp-up. I just wanted to convey what I heard from the former chair but I'm not saying that anybody on the dais is construing it that way. I wanted to provide the clarification.

>> Mayor Adler: Councilmember alter.

>> Alter: We also heard from the ymca that this would cost somewhere on the order of \$170,000 a year. Again, they don't magically come up with that amount of money, and whether you're big or small as a nonprofit you still are constrained by your grants. You can't just reallocate from line item to line item and your grants come through over periods of time and years and, you know, it's not about the caps of employer -- of employees. That's not going to solve the problem for the nonprofit. No matter its size who is not going to be able to magically come up with that money. And they also very often have fiscal years that don't match up with you this ordinance over that way. And it just -- there really is a long ramp-up and I think this is an example where part of what we're hearing from the community about the reservations is not about doing paid sick leave, it's about doing it in a manner which allows them to do it.

[11:50:35 PM]

And if the nonprofits are going to have to cut services in order to do the paid sick leave but having a little extra, four months, that would allow them to do it in a way that they could plan for and really address the needs of their employees, I think that would be better. These are nonprofits that we talk about every day, that we care about, who do lots of services in our community. And this amendment is really trying to stave off some problems we may experience when this ordinance goes into effect and because we won't have time if we vote on this at all three readings, I want to put this in there as a safeguard for nonprofits which I know you all care deeply about.

>> Mayor Adler: Any further discussion on the amendment? Let's take a vote. Those in favor of the amendment? Councilmember alter's amendment, please raise your hand. Councilmember pool, alter, Houston, troxclair. Those opposed. The balance of the dais. The amendment does not pass.

[ Applause ] We are now in debate -- now in debate on the main motion.

>> Houston: Mayor, I have a question regarding -- I guess it's on page 6 of 10, the signage required. In councilmember Flannigan's proposal, there was an opportunity to talk about other languages other than just English and Spanish. And I would like to know why y'all didn't consider putting his language in because I've had concerns from Vietnamese restaurants and Chinese restaurants in my district who are concerned about this, but the signage only says English and Spanish.

[11:52:43 PM]

>> Mayor Adler: Mr. Flannigan.

>> Flannigan: We looked at the original proposal, which was to provide the signage in any language that 5% of the workforce spoke, that was the provision in my suggestion. And when we talked with staff on implementation, there was some questions about how that might be measured or whether it is measured right now. And they went on to explain that through our rules process that the staff will enact that that is already covered with how the city operates. So I think it's something that we can get to in a rules process without having to prescribe a method the staff wasn't sure was going to be the method of determining the list of languages.

>> Houston: Well, we've had a study by the asian-american quality of life that has identified the five primary languages in this city.

>> Flannigan: Councilmember Houston, if you'd like to move to amend to add languages, I would second it.

>> Houston: I'd like to amend the language to include vit Meas, Chinese, Vietnamese, Chinese, mandarin part, arabic and Korean. Those are the language that the asian-american quality of life have identified?

>> Mayor Adler: Where would this go, Ms. Houston?

>> Houston: On signage, on page -- the new page 6 of 10, where it says signage required, an employer shall display a sign describing the requirements of this chapter in at least English and Spanish. It would add the other languages that I just identified.

>> Mayor Adler: What were those languages? I'm sorry.

>> Houston: Vietnamese, Chinese, mandarin, arabic, and Korean.

>> Mayor Adler: Ms. Houston makes that amendment, seconded by Mr. Flannigan. Discussion? Mr. Casar.

>> Casar: Mayor, my concern might be that we wouldn't want there to have to be so many posters and so I would just friendly suggest if we just change instead of listing all the languages we just change the words to say "In the languages spoken by a significant number of employees."

[11:54:59 PM]

>> Mayor Adler: Language spoken --

>> Casar: Somebody can figure that out for me weapon we would just want to not force everyone to post six posts but rather languages spoken by --

>> Houston: That would -- that wasn't the recommendation. If it's a Korean restaurant they would have their signage in Korean. If it was a Chinese restaurant they would have it in Chinese.

>> Mayor Adler: That would allow the details to be worked out in rules making. The amendment would say a sign posted in a language spoken by a significant number of workers. The detail of that would be worked out in the rules. Does that work?

>> [Off mic]

>> Mayor Adler: Staff has a suggestion for us here?

>> Julia Hays, department of human resources director. As a part of the language access documentation that we had last year we've already preestablished criteria as we work with the marketing contract, as a part of the scope of work. We will translate that in all the appropriate language to include the five that have already been preidentified and allow the businesses to select from those for which is necessary for their businesses and within that scope of contract we have the ability to expand it to other languages as necessary.

>> Houston: Thank you for that information because it only says in this ordinance Spanish and English.

>> Yes, ma'am.

>> Mayor Adler: So where does that leave us? What would the -- what would you suggest we put in here? The signage should be in -- what?

>> In all appropriate languages and the staff as a part of our established procedure will address all of the languages necessary for translation. It doesn't need to be clearly specified within the document in order for us to accomplish it.

[11:56:59 PM]

>> Houston: Mayor, my amendment would be in all appropriate languages.

>> Mayor Adler: In all appropriate languages and then you just picked up as part of the rules process and the signs will all be available. Any objection to that being included? Hearing none, that's included. "In all appropriate languages." Further discussion? Is Dr. Here? Dr. Wong, would you come down, please? Would you introduce yourself, say who you are, what you do, and then let's begin there.

>> Mayor, council, welcome, Mr. Cronk. I'm Dr. Phil Wong. I'm health authority medical director for Austin public health. I am here as a resource to address the public health perspective on this issue. So would you like me to proceed?

>> Mayor Adler: Please.

>> You know, as you are aware, we are in the middle of the worst flu season that we've had in over ten years. As of today, we've had 39 deaths, 26 outbreaks in long-term care facilities due to the flu, and one of the key messages and most important recommendations that we do give to prevent the spread of flu is that if you're sick, stay home. So as local health authority, I do believe it's clearly good for public health to make it easier for sick people to stay home when they have the flu. Another thing that we certainly see is food service workers that develop vomiting and diarrhea, and by rule, they should be

excluded from work to prevent food outbreaks to affect many other people in our community. As the local health authority, I believe it's good to do everything we can to keep ill persons with gastrointestinal illness from continuing to have to serve food. And finally, many workers have chronic diseases, like diabetes, hypertension, cancer, and other conditions, and need to be able to see their physician for preventative medical care, treatment, prevent severe illness, costly complications, so again, as local health authority, I do believe it is in the public health interest to reduce barriers with chronic conditions to see their doctor.

[11:59:24 PM]

>> Mayor Adler: Thank you. There. Councilmember, I'm going to support this resolution. I'm going to support it for at least three reasons. If first and primary one for me is that I see this as being a public health and safety imperative, for the reasons that Dr. Wong has given us, as well as the testimony that we've heard from people who spoke here today and the materials that we have. We should be doing everything we can to ensure that sick people don't come to work. I'm going to support it for the second reason because I recognize that there's uncertainty and anxiousness about the financial impact that this will have on businesses, but the data that we have seen and that has been developed, overwhelmingly -- it's not unanimous, but it would to me, in my eye, overwhelmingly support the proposition that cities who have done this do not see the extent of impact that folks are anxious about when we're dealing with something that is new. I recognize that there will be abuse. There's abuse in everything that involves people, but I don't think we can design a plan around that. I just don't think the harm is going to be what people anticipate. The third reason I'm going to support this is because this is a magical city, Austin. It's magical for a lot of reasons, because we have Barton springs -- it's magical for lots of reasons, but the primary reason this is a magical city is because of the people who live here. We are losing people and communities in our city. With that, we're losing the diversity in our city, the artists in our city, the fabric in our city that helps drive who we are, and what is special about this place, and I am proud to be part of a council that is doing everything that we can to fight back against that.

[12:01:35 AM]

We are doing everything we can to provide housing for all people at all stages of their lives, of all income. We're doing everything we can to create jobs and to train people who live here for -- we've acted to provide a fair living wage, acted to provide health insurance, even for temporary and part-time city employees. Sick leave is literally the next thing that we need to also do ensure that we

[cheers and applause]

>> Mayor Adler: But I will also say that whatever happens around us, if we love this city, if we want to keep and preserve what is special about the spirit and soul of this city, whatever happens around us, we must remain true to being Austin, Texas. I'm going to support this ordinance.

[Cheers and applause] Councilmember Garza.

[12:03:36 AM]

>> Garza: I want to thank councilmember Casar's strong leadership on this, and thank you for asking me to be part as a co-sponsor. I'm also really happy to see a loved one of yours in the audience, so thank her for sacrificing time with you because you've really been out there pushing for this. And, you know, when I have -- when I have my town halls, I show the same three slides in the beginning because I want anyone that comes to know that we can only -- we have so few levers that we can pull as councilmembers, and the one -- one of them I always show is the rising housing cost and stagnant wages. And that's a reality, not only for Austin, but we're facing in our entire nation, and so when we have such few levers that we can pull to help working families, we have to pull the levers that we can pull. And, you know, I was ready to support this in its original -- in its original language, but I'm glad that we were able to bring some of our other colleagues along and make some compromises. When I was meeting -- you know, I always meet with both sides. I'm a lawyer, I want to hear both sides, and what I really heard was this really unfortunate disconnect between our business community, and not all of them, but -- and our working families. And as somebody who represents one of our lower income -- and I'm proud to represent our most hispanic concentrated district, district 2, southeast Austin, one of the biggest disconnects was one of the business owners said, you know, most of the people I employ are, you know, wait staff, they're college students, they don't need to work. I've worked since I was 16 years old, and believe me, I didn't want to work at 16 years old. The families that I represent, their kids are working at 16 years old in restaurants, doing all kinds of things, not because they want to, because they have to.

[12:05:36 AM]

So there's a real disconnect, I think, in the realities our working families face. I would love to invite -- I'm lucky that as a former firefighter, I've been able to go into, you know, people's houses and see how they live, and it's just really -- you know, people don't understand. I've had -- I've had local businesses, when I talk about the food deserts in my district, they say there's food deserts in Austin? There's so many families struggling to make it by, so I'm so proud to support this, and I can't wait for the rest of our big cities here in Texas to follow our lead.

[Cheers and applause]

>> Mayor Adler: Councilmember Kitchen, then councilmember Houston.

>> Kitchen: I'm going to support this ordinance, and I want to talk about an aspect of it that we've touched on but we haven't talked about as much. And that's the health care aspects of this -- the public health aspects, but also the health care aspects to individuals. Sick leave can be a matter of life and death. And I'm talking about it from a preventive standpoint. I've spent a lot of my life working very hard



and really championing access to health care for individuals. An that really means that people have to be able to go to the doctor when they're sick. They also should be able to go to the doctor when they have an exam, a screening, they should be doing their annual exams. All of those kinds of things. When people don't do that, they don't catch illnesses early, they end up in the emergency room, and it can literally mean their life. And no one should be in that circumstance. And so I want to emphasize that aspect of it also because paid sick leave is not just when you're sick, it's when you need to go to the doctor.

[12:07:42 AM]

And so I feel very passionate about that, and I'm going to support this. It's the right thing to do.

[Cheers and applause]

>> Mayor Adler: Ms. Houston, then Mr. Renteria.

>> Houston: Thank you, mayor. And unfortunately, I'm going to be the one that doesn't get the hand collapse and woo-hoos. On Tuesday at the work session, when this -- when this was first announced, I indicated that there had not been -- five months was not enough time for businesses to have the kind of input that they needed, although I've heard tonight that the stakeholders groups were viewed differently by some than the ones that -- the small business owners that are in my district that I talked to. And I realize that I will not -- if I made a motion to postpone, it wouldn't be -- it wouldn't pass, so what I have to say, several things here. I'm -- I'm so sorry that this has turned into an us versus them scenario, because all of us support women and children and men and everybody that needs sick time off and paid sick time as well. So it's unfortunate that it's become that. I've got an email here from one of my small employees, and I'm just going to read a couple things that we always talk about the Seattle ordinance, and she says Seattle is not an apples to apples comparison. The Seattle ordinance separates, of course we've now changed that, but I'll get to that in a minute -- businesses based on sizes; that in Seattle, you have to work for 90 days before being able to pay -- be paid for sick leave. So in Austin, you get the minute you sign on, you're eligible for sick leave.

[12:09:56 AM]

What I'm trying to say is that as we were crafting this compromise -- and I appreciate councilmember Flannigan's efforts and the other members on the dais to come up with a compromise ordinance, but that ordinance was posted today, this afternoon, which gave the business community no opportunity, at all. And so that's where we are now. Five months ago, we had an ordinance posted in January or late -- or early February, not enough time to have input. This one was crafted by councilmembers with very little -- and advocates, of course, with very little opportunity for the business community to give any kind of input. So I'm for collaboration and to craft a policy that will work for all, and to try to determine what the unintended consequences might be. I've lived in this city long enough to see what happens

when you don't take into consideration the unintended consequences. And people in small communities, especially minority communities, are heard. I want to talk just a minute about the disconnect between our stated community values that support and encourage small local businesses and this ordinance. I'm not talking about the Dells and I'm not talking about applied materials and Samsung. I'm talking about Rolland's soul food kitchen on chestnut and the one on 12th street. These are small minority businesses. We say Austin is a business climate, but yet those people, those businesses, you say they won't be put out of business, but you don't know that. And if that's -- that's true, what your assertions are, what do we say to the business owners and the people they hire? Oops, we made a mistake? We haven't had an opportunity to vet this in a way that we don't see what the unintended consequences could do for those small businesses.

[12:12:01 AM]

And I'm talking about minority businesses. Yeah, applied materials may be able to make this work. But country boys, I'm not sure. Roland's I'm not sure. Sam's, I'm not sure. So you say that with such certainty. I don't know how anybody can say that for all businesses, all 33,000 businesses, that this is not going to have some negative impacts and some unintended consequences. I'm appreciative that you all have switch from the and you know size fit all to having a range of businesses that this will impact, but these are difficult conversations. And I hear your passion. And I wish there was another way to get this done except saying, let's do it tonight, we have to do it tonight, and the businesses who -- they're supporting you, I know some people have disparaged them, but most business owners want to keep good staff, and they want to do what's best for staff. But to have this like a sledgehammer about put on them, I'm not going to be able to support it.

>> Mayor Adler: Thank you. Is there -- Mr. Renteria.

>> Renteria: I just have a quick comment. I ran for office so that I could help my people, you know. I grew up in east Austin, and I know how we were treated back then. We didn't have any respect. We weren't given vacation time. We were always paid the minimum wage. I grew up in a house that had an out house in the back. I lived a mile away from the capitol. I mean, that's how we grew up. The way we was treated was no respect. And it's way -- the injustice that we have endured in the past, I mean, it really hurt -- hurt me and my -- the people that I grew up with, where they had to struggle day by day, having to go to work sick, because they needed the money to survive.

[12:14:27 AM]

And that's an injustice. To me, that's an injustice. And I think it's long way overdue. We really need to pass this tonight. We've been at it too long. It's tonight that we're going to pass this.

>> Mayor Adler: Further discussion?

[Cheers and applause]

>> Mayor Adler: Councilmember Flannigan.

>> Flannigan: I want to start by thanking the advocates that have been working for so long on this proposal. You know, the last couple of weeks have been, for some, the end of a marathon, and for some, a sprint. One of the challenges that we face as policymakers is that if you're not involved in the beginning of the process, you can't be involved until the end of the process. These crazy open meetings rules don't allow some councilmembers to participate until the end. And so it was so in lightning to participate in some of the marathon meetings that I was able to have with advocates over the last week, primarily, so that we had an opportunity to understand, that's why we had a gap. I want to thank my amazing staff in my office, when the draft ordinance was posted three or four weeks ago, which was really our first attempt in my office to dig into the details, we immediately had meetings. After the last council meeting, and we start working on this council meeting in our two-week process, I was meeting with people the very next day and the day after that and the day after that, and then my staff worked diligently, evenings, nights, that entire weekend so that we could post our proposal on Monday morning.

[12:16:28 AM]

And then by the time we got to Wednesday, I think we found a way to understand where our gaps were. I still have concerns. I have concerns about the speed at which this has gone. As councilmember Houston noted, it is -- it is unusual to pass an ordinance with this speed. It is, one might say, not in regular order. But we've done a lot of things not in regular order. And there is a lot of things our community faces that certainly don't feel like regular order. And I'm not -- as much as I have been a consistent opponent to postponement, and I have often and frankly -- and frequently, and even earlier in this meeting, was the one no vote on a postponement, I was -- I made the decision to allocate an I staff resources and my own time to put together another proposal and to dedicate the last week of intense process to understand how we might come together. There are still concerns about the impact on different types of businesses. There are so many types of businesses, and I spent a career advocating with the LGBT chamber of commerce and getting to know all different types of small, small, small businesses, including one of my own that now I'm just a single proprietor. It's hard from the dais to see every face in the audience, but I do want to address the constituent I had. You know, from district 6, I don't have the pleasure of seeing too many of my constituents make it down to city hall, but I, too, don't live on the wealthy side of my district. I am, as I've frequently said, the only renter on the council. I have the opportunity to represent people of many different income levels and backgrounds.

[12:18:29 AM]

And I want to thank councilmember Houston for bringing up the language issue again as my district is the largest Asian community in the city. I know you represent the Asian resource center, and I appreciate you doing that. I have concerns about jurisdictional issues, and that is one of those things

about my district where there are parts that are like a checker board, where one property is in, one property is out, one property is in, one property is out, and what does that mean to the types of businesses that send drivers around and they're in the city and they're out of the city? But at the end of the day, this democratic process, in order for it to work, requires that type of compromise and collaboration that I completely agree has been too fast and has been unfair to some of my colleagues. But I am still going to support this ordinance tonight.

[Cheers and applause]

>> Mayor Adler: Mayor pro tem.

>> Houston: Then I just have one other thing I need to say. Mayor pro tem, is that okay? The one -- the group of people that complained most about not having sick time are people who are substitute teachers for Austin independent school district. And they have several thousand of substitute teachers who don't get any kind of paid sick leave, which is a real problem. And this ordinance does not touch them at all. It does not touch those substitute teachers at all. Does not give them the benefit of the things that I hear teachers getting. And so I just needed to say that to make you all aware that there are some gaps here. And I hope you all continue to work on those gaps.

>> Mayor Adler: Mayor pro tem, then councilmember troxclair.

>> Tovo: I just wanted to say a few thank yous, really, great thanks, councilmember Casar, for your leadership on this issue, and I appreciate the opportunity -- I have appreciated the opportunity to be a co-sponsor.

[12:20:39 AM]

And I want to really appreciate everyone who's come down or who has participated in this conversation over these months, regardless of where you fell on the issue, the ordinance is stronger because of all of that participation and all of that input. And I know for those of you who had concerns about the ordinance, it takes a lot of courage to come into a place like this and voice those concerns, so I appreciate you being here tonight, and making your voices heard, too. I am very grateful to those who have advocated for it. I believe it is the right thing for Austin. I am so proud to live in a city that is, I hope, on the verge of adopting a paid sick leave policy. It is, in my opinion, absolutely the right thing to do from a public health standpoint, from an economic justice standpoint. I know that our community is going to be better off, and many, many Austin families will be as well. So thank you again, all of you who have had a role in shaping this policy.

[Cheers and applause]

>> Mayor Adler: Councilmember troxclair.

>> Troxclair: I just have a quick question and an amendment that I share -- I'm sure I know what the outcome will be before I gather my thoughts, but the one question that I just didn't get a chance to answer, I guess, previously is, why was -- why did the ordinance decide on eight days? Why was that the

number? I know that you've talked about 12 days and other levels. Can you tell me why eight was the ultimate number that was decided on in this ordinance?

>> Mayor Adler: Yes, Mr. Casar.

>> Casar: This ordinance was the product of a very extensive process, involved lots of local and small business owners who came forward with their own pti policies, who were generous enough to say they were willing to do even more than five or six days.

[12:22:44 AM]

It involved lots of organizations on the ground, non-profits, all these folks coming together, the goalposts were that we wanted folks to have between five and ten days. The stakeholder process most frequently brought up 12. But we wanted to get majority support on the dais and wanted support from lots of businesses, as well as all the organizations here. So eight days really is a really strong standard. It sets us at a good standard nationally for larger businesses, and then the six-day cap for those others, I think, was just a critical part of making sure that we had as broad of buy-in from the dais as possible. So really, that's a pretty good standard, and as I put up in the state of the union speech from 2015, the national standard that was trying to be set was seven days for all employers in America. So I think our six and take it tiered approach tries to sort of hit that benchmark goal. Ultimately, studies have shown that if you are given seven days of paid sick time, the average use is about one and a half days, maybe two days, because people save up their time for when they're really sick. But then when you are really, really sick, you have to get hospitalized, you have a pregnancy or you have to deal with some of the real challenges with sexual assault or domestic violence described here. Having access to being able to have those four or five or six days is really important. That's how we got to eight and six.

>> Troxclair: Okay. Thank you for answering that. I know that it's late and we're all ready to go, but I feel like I have to offer an amendment to exempt small businesses from this ordinance. Micro businesses.

>> Mayor Adler: You want to go ahead and -- any objection -- you want to go ahead and make your amendment?

>> Troxclair: Yes. But I would really appreciate respect and decorum.

[12:24:46 AM]

>> Mayor Adler: She's right. This would be a safe place for people 20 throw out ideas, whether we agree with them or not, for them to be discussed and be able to feel safe in doing that councilmember troxclair.

>> Troxclair: Yeah. There have been so many, I guess, concerns brought to the council about the way that people who had concerns about this ordinance, members of the business community were treated during this process, and people on the other side have said, I don't know what they're talking about. We

are all just -- we were all so respectful and we just came to this great compromise. And being in this room tonight and hearing this crowd, people who have given up their time away from their families to come down and testify, you can hiss at me. I ran for office. I take responsibility for what I say up here and the votes that I take, but it was so incredibly disrespectful for those people to be treated the way that they were treated tonight. So I have no doubt that that's exactly how they were treated throughout this inclusive stockholder process. So as I was saying, I'm glad to know -- I'm glad to know that the democratic socialists, I guess, are supporters are big corporations because they offer great benefits to their employees, and now don't -- don't like -- that's what the speaker said -- that they were critical of small businesses because they often don't provide the same level of benefits that large corporations do. I will keep that in mind for future conversations. The rate of failure for small businesses is, like, really significant. I mean, more than half of small businesses ever started, fail. And having a job with great benefit, of course, everybody prefers having a job with great benefits, but having a job to not having a job is also really nice.

[12:26:50 AM]

And the large businesses that are able to provide those great benefits, they're able to do that because they started at small businesses and they were able to make a profit. They don't grow on trees. Jobs don't grow on trees. So, I think -- I think that our microbusinesses, I'm talking about less than 15 people employed, really -- they are the people that we -- they are the culture that we talk about when we talk about what makes Austin unique. And they're the ones that are going to be disproportionately hurt by this amendment, by this ordinance, because they don't have the flexibility -- they don't have the flexibility that they need to respect their workers and run their businesses. So even though I know it's pointless, I'd like to make a motion to add small businesses to part D under employer as an organization that is -- or a group that is exempt from this amendment.

>> Mayor Adler: Which section are you talking about?

>> Troxclair: D, employer, it talks about excluding the federal government, political subdivisions, et cetera, so it would add, 5, small business, and later in the ordinance, a small business is defined as any business under 15 employees.

>> Mayor Adler: Okay. Councilmember troxclair moves to amend this to exclude businesses with 15 or less employees, from this ordinance. Is there a second to that? Councilmember pool seconds that. Is there any discussion on the amendment? Then let's take a vote. Those in favor of the amendment, please raise your hand.

[12:28:54 AM]

Councilmember pool, councilmember troxclair, councilmember Houston. Those opposed? Those abstaining? Councilmember alter abstains. The others voting no. The amendment does not pass. We're back to the main motion here on item number 49. Is there any further discussion?

>> Houston: Mayor, may I ask staff a question, please?

>> Mayor Adler: Yes. Absolutely.

>> Houston: For the hr staff. We didn't want you to go to sleep.

[Laughter]. So you all will be tracking, you all will develop policies and procedures to track all of this; right?

>> Relative to the enforcement, any adherence to the revised copy, yes. Our process between now and October will be the establishment of rules, the procurement of a contractor, the education -- the establishment of the education period. October beyond, we will track all complaints, we will track the adherence to the administrative rules we apply, and we will be providing council with the update reports on an annual basis as defined in the new ordinance of what those occurrences look like within that period between October 1st and June of next year.

>> Houston: So let me ask you, how would we track the impact that this has on those small businesses?

>> We would not be able to track impact. We would be able to track enforcement, complaints, and process. And so if council is seeking some opportunity to develop a process to determine impact, it would be outside of the scope of the housing office that's now being identified for the enforcement component.

>> Houston: Thank you. Councilmember Casar, was there any thought to having some way to track the -- whether or not the businesses are flourishing or whether they're struggling or whether they've gone out of business and moved out of town?

[12:30:58 AM]

Is there anything in there that -- to tracks that?

>> Flannigan: Mayor?

>> Mayor Adler: Councilmember Flannigan.

>> Flannigan: My button --

>> Mayor Adler: You just came in.

>> Flannigan: The button's not working on my thing here. The annual report language, which was adopted from my page 9, 419-8, part a, this was language that my staff and I wrote that was in my alternative, and the very -- towards the very end of that paragraph where it lists the things, the annual report is going to look at, it says, and the impact on businesses and employees. So if the eeo/fho is not

able to do that, then I will work with them to figure out how we can solve that problem post haste, to ensure that that report does occur.

>> Houston: Thank you, because it doesn't sound like that was part of their charge. But that's important, I think, to be able to prove up whether or not the ordinance has -- is in fact one of the benefits to a lot of people, or whether or not what happens is our small businesses go out of business and we have more unemployed people.

>> Flannigan: I completely agree. It was not accidental that I added that part to the reporting requirement. And we will figure out how to make that work.

>> Mayor Adler: Further discussion? Councilmember alter.

>> Alter: I want to thank everyone who came out tonight and all parts of this issue, and thank you for tirelessly fighting for what you value and trying to help us to understand what the issues are. Over the course of this process, I have tried, as I do on most issues, to pay attention to the details.

[12:32:59 AM]

It's just something that's part of my nature. I've tried to understand the different views, and tried to figure out what are valid concerns and what are just red herrings. I paid attention to days that both sides might care about, and if you followed the work session, I have asked questions about enforcement processes, about resources for enforcement, about the city of Austin having its own sick policy that's not consistent with this. I've asked about the need for retaliation protections. I've also been concerned about our small businesses and our non-profits and various elements of it. The details of a policy matter. In this case, they matter to the mom who's got to stay home with her kid, or for the dad who's sick, they matter for the business that's trying to keep their employees employed and their business running. I think it's unfortunate that we have been working on a -- what I perceive as an arbitrary timeline, and it's unfortunate that people feel like they did not truly understand this ordinance and did not have the time to participate. I hope that we can take out of this not just a lesson of the power of organizing, but that we can also think about how Austin can be stronger if we can create an environment where people can disagree, and where all segments of the community join us in finding solutions to our challenges. For one group that has been marginalized simply to respond to another in the same way doesn't get us to the better place that we can be as Austin. We will be much, much stronger if we can create solutions together. Our business community is an essential part of our community, too, and we need them to be there at the table just as we need the workers who will benefit most from this process to be healthy and contributing to our community.

[12:35:05 AM]

I am disappointed that my amendment to protect the non-profits was not accepted. I frankly would be a lot more confident in this policy if it was in there. I perceive that over the course of -- actually, probably



the last 48 hours, a lot of the changes of things that were of concern to me have been incorporated into this draft. Paid sick leave is a public health issue, it's a social justice issue, and I am going to vote in support of this --

[cheers and applause] I'm going to vote in support of this. It's not without a considerable amount of heartburn over the process that got us here, I must admit. And I do reserve the right to bring amendments to the ordinance in the future if those details -- because we didn't take the time to think about them -- don't work out. And whether that's to help the workers take advantage of it or if it's to help the businesses or the non-profits actually be able to make it work, I think we have to understand that the ordinance that we have before us today might not be where we end up with this policy, and it -- you know, we may need to tweak it. We did not take a lot of time, and we may need to move forward with that. But for now, I'm going to vote for this, and hopefully this will be a step in the right direction that we need for our city to be healthy and for everyone to be able to participate. Thank you.

[Cheers and applause]

>> Mayor Adler: Hang on a second -- councilmember pool, a chance to speak, then councilmember Garza, then councilmember Casar.

[12:37:05 AM]

>> Pool: Well, it's really, really late, and I wasn't going to take any more time for everybody because I think everybody just wants to go home. But I did realize that I probably needed to say something. And councilmember alter has really eloquently stated both my supportive comments and my reservations, and I join her in her desire that if this needs to be amended in the future, that I will work to do that in order to have what I called -- what I wanted was an unassailable ordinance, a model through this state that would be replicated throughout the state and be carried at the state capital. But this is what we have today, and it is better than it was when it started out, so I'll vote for it.

[Cheers and applause]

>> Mayor Adler: Councilmember Garza, then councilmember Casar.

>> Garza: Just because we have -- it sounded like we have a bunch of members, I wanted to ask the brotherhood of electrical workers to work on a more gender neutral term for their organization.

[Applause]

>> Garza: But I also want to ask, since it sounds like we have more than eight votes, if this could pass on all three readings tonight.

>> Mayor Adler: I think the motion was to pass on all three readings. Only need seven votes for that. Councilmember Casar.

>> Casar: Just a very brief closing words. Can't just have councilmember Garza shouting out to my family, so thanks to my family for being here. But I just really appreciate everyone on the dais. I know this has been a lot of hard work, and I am proud to be a part of this body with you all.

[12:39:06 AM]

For me, so much of what this is about is about widening inequality and fighting against it. It was at our last council retreat that there was a map of Austin by census tract, they had little numbers in the census tract. Some numbers were close to 80 and other numbers were closer to 60. And the numbers were how many years of life a person in that census tract probably had. And we have people in our community, all hard-working great people, but they have structures in place that say, you get 20 more years, or you don't, who lives and who dies, who has health care, and who doesn't have health care, and I think that this is -- has all been about organizing people around reducing that inequality, so that by passing this ordinance, if somebody works for a company and somebody else works for another company, there isn't some people with paid sick days and some people without, that both people will have paid sick days.

[Cheers and applause]

>> Mayor Adler: Any further discussion on this before we take a vote?

>> Casar: Very last thing I'll say, I'm sorry, is that there is greater inequality, which is who has a seat at the table and who doesn't, and just as important as the paid sick days vote is, I think what is even more important is how people have come together in an unprecedented coalition to give people who are working people more power through organizing here at city hall. Without your organizing, this would never have come to pass. And without your organizing, we will not be able to spread this across the state and eventually across this country. So keep at it. Thank you.

[Cheers and applause]

>> Mayor Adler: There's a motion in front of us that's been seconded. It's also been amended. This is now vote on final passage, all three readings. Any further discussion? Those in favor, please raise your hand.

[12:41:07 AM]

Those opposed? Councilmembers Houston and troxclair voting no, the others voting aye. This item passes.

[Cheers and applause]

>> Mayor Adler: It is 12:41. This meeting stands adjourned.