

# City Council Regular Meeting Session Transcript – 9/20/2018

Title: ATXN 24/7 Recording

Channel: 6 - ATXN

Recorded On: 9/20/2018 6:00:00 AM

Original Air Date: 9/20/2018

Transcript Generated by SnapStream

=====

[10:08:12 AM]

>> Mayor Adler: All right, council, I think we have a quorum here so I think we could get started. Before we start the council meeting, we have for invocation today Pandit Sri Aditya sarma, from the Austin hindu temple. Would you come up. Would everyone please rise. >> Good morning, all. So auspicious, I wanted to say the meaning for a second. What we are going to chant in our legion and I know happy they say the universe should be peaceful and all the human beings should be peaceful and all the animals and everything should be peaceful. And that is what the chantings means. And two, three days back we all heard that in Washington and Florida they got hurricane, and all the people -- and everything should get cleared very soon and everybody should be happy. [Chanting]

[10:11:55 AM]

Thank you so much. >> Mayor Adler: Thank you. All right. Today is September 20th, 2018. This is the Austin city council meeting convening at 10:12 here in the city council chambers at Austin city hall, 301 west second street in Austin. Council, let's do changes and corrections. On September -- on September 12, 2018, this was recommended by the water and wastewater commission on a vote. It says on a vote, with commissioner pan recuse, commissioners Michael and Moriarty absent. Items 11 and 15 were postponed until October 18, 2018. Items 12 and 20 being postponed until October 4th. Item number 19, on September 12, 2018, was approved by the water and wastewater commission on an 8-0 vote. Moriarty and commissioners part ton absent. Item 21 being postponed until November 29th. Items 13, 27, 36, 37, and 51 have been withdrawn. On item number 15, this concerns a resolution dealing with reduction of waiver fees -- reduction of waiver of fees for full-time active-duty military personnel. Not personal. Councilmember Flannigan has been added as a sponsor to this item 55. Items number 60 and 61, the

[10:14:01 AM]

suggested time and date for those two items has been changed to October 18th of 2018. Item number 92 at its 4:00 P.M. Time certain, a request to postpone this until October 18th. And item number 93 at its 4:00 time certain date there's going to be request to postpone this item to November 1st. Item number hfc, Austin housing finance corporation, item 2, September 11, 2018, Austin housing finance corporation board appropriated \$2 million in affordable housing general obligation bond funds for fiscal year 2018-2019 for the G.O. Repair program. And Austin housing finance corporation item number 3 is withdrawn. We have some items that have been pulled from today's consent agenda. I would point out that the consent agenda begins with item number 1 and goes through item 61. And then on the addendum it also includes items 96, 97, and 98. On that consent agenda, the pulled items appear to be number 16 which has been pulled for speakers, item number 19 pulled by councilmember Flannigan who also pulled item number 96. Obviously we have a lot of postponed items and withdrawn items in that group as well. But the pulled items are those three. Any discussion before we ask people to come up and speak

[10:16:02 AM]

on the consent agenda? We'll do that then. Yes, mayor pro tem. >> Tovo: Mayor, we're scheduled -- or we're being asked to postpone item 20 but I do have a couple questions for staff before we postpone so I can either leave it on consent and do that or pull it and do that. >> Mayor Adler: Let's pull it so you can ask your questions. Correct, sorry I missed that. The items for consent are items 1 through 61 and 94 through 98. 1 through 61 and 94 through 98. And we are pulling at this point 16, 19, 20 and 96. Consent speakers. Mr. Peña, Gus Peña, do you want to come and speak? >> Good morning, mayor, councilmembers, Gus Peña, proud native east austinite, proud United States marine Corps veteran. To my right is de deb Smith and she's going to be speaking later on but she was nervous so I said come on down, they don't bite too much anyway. Item 16, Austin housing finance corporation to manage and operate various housing programs, we strongly support this. I cannot emphasize and overemphasize the point we are still having a big homeless population, still, still, Mr. City manager. I'm going to get back with you in a little while. We need all the support we can get, housing and councilmember Flannigan, all of you all, Leslie Poole, I

[10:18:04 AM]

love you all, you have been very good, but those are the two good people. My wife is watching on you, now, watch out. We need support. We need more money information homelessness and transitional housing if we can find it. 22, permanent support I have housing, that is under public health, that is also very, very needed. It is catastrophic to have homeless women and children -- I'm sorry, excuse me, women with children that are homeless, that breaks my heart. I'm a proud United States Marine Corps veteran. I've seen things you will never see unless you are in the military, Cambodia, boot camp.

Number 25 having to do with Austin independent school district, provide youth development services, as much money as we can pump in. We have a lot of kids with problems with developmental delays, et cetera. Number 55, and thank you all very much for waiving the fees for full-time active-duty military personnel, et cetera, et cetera, that is very needed. To my right, deb Smith, she's going to speak later on, but she has some good comments also to make and some that are needed to improve. Mr. City manager, I'm still having problems, and if you can't take care of it, I'll take it to the appropriate police officials, if APD can't do it. Your manager of the security is still profiling me. I'm recon marine, I can tell, okay? And I learned my issues back in east Austin when they profiled us as wetbacks or whatever so we had to look around for rogue police officers. Deal with it or I'll take it to the federal level. I'm not going to put up with that anymore. Immaterial. >> Not stupid, I'm not dumb, I know when they are profiling me. It's got to stop. Jason, I believe, is my go-to guy, this has to stop or I'll file a full federal investigation. You all are not going to

[10:20:06 AM]

like it, okay? I got friends in the fed still. Just wanted to let you know about these items on the agenda. Thank you very much for what you are doing. I know I'm tough at you all and look at that situation. I ran for judge, okay, and -- [buzzer sounding] -- I want action. Thank you very much. Ms. Smith will speak later on. Thank you. >> Mayor Adler: Ms. Smith, you can speak here now as well while you are down. >> Thank you. My name is Deborah Smith and I'm opening a homeless shelter for women to start with. It's not to have the building, have the funding right now so I'm helping out little bits where I can. I just want to let you guys know what you have going on right now with the homeless shelters is not a viable thing. I know you know this. But the 90 days in, 90 days out, the revolving door funding is not working. I've been there. You get 90 days in, you get the case manager, you get everything like that and that doesn't work. You're putting elderly women with oxygen tanks in wheelchairs back out on the street in 90 days. You know, in the heat of the sun or in the cold weather, and it just -- it just doesn't work. You lose your case manager, you lose everything. I'm still waiting for my housing. I'm disabled, I'm 51, and I've been waiting almost three years. And now my case is sitting on a table somewhere. I filled out all the paperwork for three months. Waiting just for somebody to pick it up and say, okay, let's find you some housing, you know, after three years. My -- deb's house which is what it's going to be called, is going to be long term. I wanted to meet you guys today because you are going to be hearing from me when I get up and running. I have the Facebook, the bank account, the whole nine and I'm 5013c, and I want it

[10:22:06 AM]

up and running and I want you guys to back me. It's going to be long term. The longer goal is going to be something like community first with the whole community behind it. And it be where you can have the section 8 or whatever as well, it be up to code and all of that where it funds itself. But it's going to be long term where you're not kicked out unless you are not following the program. But you have a place to live until you get what you need. Your housing comes through or the job and you've saved the money

to get where you need to go or you find a roommate you can share the place or whatever it takes, that you have a place, you're not back out on the street in 60 or 90 days. That's what I want and that's my goal is to change the way people look at homelessness and to change the way it's dealt with in the city of Austin. That's it. >> Mayor Adler: Thank you very much. >> Thank you. >> Mayor Adler: Thank you. Colleagues, a couple things on the consent agenda. Item number 28, which is the resolution on the quarter penny issue, in our backup has been filed another version, I think it's on yellow, that everyone has. It strikes section 2 in the first two and a half lines of -- it strikes the be it resolved number 2 and makes number 3 number 2 and has exhibit C, which includes the new projects that have been added. Also on our consent agenda, our items 52, 53 and 54, the clerk has given me the numbers that get filled in on those. 51 we know has been withdrawn.

[10:24:08 AM]

52 is the auditor, the number that goes in the blank is \$167,107.20. Item 53 for the selector, the number that gets filled in is \$142,646.40. And on item number 54 for the municipal clerk, the number that gets filled in is \$143,291.20. And the paragraph 1b or a2 is stricken. Because we filled in the blank on the first. Those are all the items that we have on the consent agenda. Again, consent agenda is items 1 through 61, 94 through 98. The pulled items are 16, 19, 20 and 96. Any comments that need to be read into the record? Ms. Houston. >> Houston: Yes, mayor, on item number 55, I'm fully support I have of that item, but I just want to say to the city manager that I'm hoping that as we look at Austin resource recovery we will also look at other utilities to make sure that we just are not doing this piecemeal and there's a kind of standardized process for people in the military who are on deployment. >> Mayor Adler: And to that end, Ms. Houston, following the conversation at the work session Tuesday, there's been a resolve clause added to the resolution that specifically says that, so it's part of what we're voting on today. Yes, Mr. Flannigan. >> Flannigan: Councilmember Houston, what I brought up at work session and thank you for adding me as co-sponsor and adding that be it resolved. Just for clarification, there are three versions in the backup. Just to be clear, it's the draft resolution second version. That's the title of it in

[10:26:09 AM]

backup, even though there are three versions in backup. That's the version on number 55. On number 7, this is the Mcneil road water transmission project. For the folks in district 6 paying attention, phase 1 was a very disruptive project, it caused a lot of issues for folks including staff at the water department who live in district 6. I want to reassure folks as this moves into phase 2, it's my understanding they are looking to minimize any disruption to the traffic and a lot of that was caused by caves and other things that d6ers know are through that area. Item 25, the aid contract for the shots for tots, I support the program but I want to be recorded as voting no bought according to the backup only aid was consulted on which campuses were in need. >> Mayor Adler: Okay. Any further discussion or notations? Councilmember troxclair and then councilmember kitchen. >> Troxclair: I want to be shown voting items

on items 3, 4 and 5. These are energy efficiency rebates for commercial buildings and these rebates, the cost of these rebates are just passed on to other ratepayers including our residential ratepayers. I want to be shown abstaining from items 23, 46, and 57. >> Mayor Adler: Okay. Councilmember kitchen. >> Kitchen: I don't know if it's necessary, but on item number 50, we'll be voting on the yellow sheet, right? Because I had two appointments that were late, but they are on the yellow sheet so that's -- >> Mayor Adler: Yes, it's the ones on the yellow sheet. >> Kitchen: Okay. >> Mayor Adler: So they through Nathan right on human rights commission and Megan Moten arts commission, also councilmember kitchen. Thank you.

[10:28:11 AM]

Anything else before we take a vote? Ms. Houston. >> Houston: On item 25, show me voting no. >> Mayor Adler: Show you what? >> Houston: Voting no. >> Mayor Adler: Is there a motion to approve the consent agenda. Mr. Renteria makes that motion. Is there a second? Councilmember Flannigan. Those in favor of the consent agenda please raise your hand. Those? It's unanimous on the dais with councilmember alter off the dais. She is not with us today. She is leading a delegation on behalf of the city to India. Mr. Renteria. >> Renteria: I just want to thank my colleagues for passing 55. Our military personnel that have to go on active duty, basically when they are called up and they are living here in Austin, the right thing to waive the fees. I personally -- my wife is a veteran and my son-in-law is an air force veteran, so I know how much they get paid and it's not very much. Any kind of -- any time we can save them any kind of money, then we should take -- show these veterans that support them. I want to thank you. >> Mayor Adler: Okay. All right. Let's pull up the -- let's call the items that have been pulled. Let's begin with item 16. I'm going to call the people that pulled this item by signing up. First is Mr. Hirsch. Stuart Hirsch Gus peña is on deck. >> Mayor, members of the council, Stuart Harry Hirsch. I'm disappointed to be here this morning to report to you that the 600 home repairs fell short again in this budget.

[10:30:12 AM]

In 2017 some of us asked you to adopt the strategic housing blueprint as an amendment to imagine Austin with its aggressive performance goals. And one of the goals was 600 home repairs annually for low-income homeowners. It appears on page 17 of the document. Others asked you not to adopt goals until after codenext was adopted and you adopted the blueprint despite opposition. Item 16 on today's agenda does not fund 600 home repairs if I'm reading the backup correctly. It only funds 511. The city budget you approved last week has more housing trust fund dollars which could be used to help low-income homeowners in gentrifying and nongentrified neighborhoods to have roof leaks fixed, their wiring made safe, their heating and air conditioning work performed, and their plumbing made sanitary. I asked you to do this during my testimony during the budget public hearings, but the action that is posted today will not accomplish this. Please increase home repair funding either today or before the end of the calendar year so our low-income brothers and sisters can have needed repairs sooner rather

than later. As the great filmmaker spike Lee would say, do the right thing. Thank you very much. >> Mayor Adler: Thank you. Mr. Peña. Is Deborah Smith still here? >> She went outside with staff, mayor. >> Mayor Adler: She would be on deck speaking. If these out there with staff, would you let her know, please? Thank you. >> Yeah, good morning, again, Gus Peña. I'm in total support of what the previous speaker spoke about. Home repair, home repair funding is very essential for the people that are

[10:32:15 AM]

los ses. Can anybody tell me what ses means? Socioeconomic status. I've been using that on the campaign trail. Socioeconomic status poor, right, Casar? Right. Anyway, we need more funding, but my wife says say something positive instead of negative, it's a small minute funding. It's not enough to even hold the crest, as we said in the Marine Corps. But anyway, if you could -- like the previous speaker said, I'm totally supportive of increasing home repair funding. Any kind of housing help that you can do, there is a large group of our citizens that are hurting. Home repair, housing, otherwise. So anyway, I'll leave it at that, but, you know, I see the good in you all. I try to anyway. But I see some that is not going fast enough, okay? Mr. Mayor? And I do want to thank you all for your hard work you do, I couldn't put up with it. I'm glad I -- I'm just glad that we have elected officials like you all. Yeah, I scrutinize you, I criticize you, I condemn you sometimes, but I do appreciate the hard work you all do, except for one person up there, I don't want mention his name. No, you are cool, man, don't turn red. Anyway, thank you very much, mayor and keep on keeping on and take your vitamins because this is a long haul and the people need help out there. Not just rental assistance, et cetera, but other things also. Child care. Thank you very much. >> Mayor Adler: Thank you. And if Deborah Smith -- she's okay? Okay, good. Those are all the speakers. That gets us to the dais. I think all of us want to do more home repair, and I would point out to everyone

[10:34:16 AM]

that this November proposition a is going to be on the ballot. This is the historic \$250 million put to affordable housing and moneys to help people be able to stay in their homes in affordable situations. And part of that money is specifically designated to one of the categories designated is to increase the opportunities and the range of our capacity to do -- to do home repairs. So I urge everyone to vote for that proposition a. Further discussion on the dais and we'll need a motion as well. Mayor pro tem. >> Tovo: I would like to move approval and make one quick comment. >> Mayor Adler: There's a motion to approve item 22. Is there a second? Councilmember Casar. Go ahead, mayor pro tem. >> Tovo: Yes, as our speakers indicated, this is a very critical program and I just wanted to signal to my colleagues that in probably not our next meeting but the one after that I am working with several of you I hope to bring forward a resolution to do something that advocates in our community have asked for for a long time, which is to look at ways we can link our weatherization program with our home repair program to achieve -- achieve in many cases more -- more impact, but also to alleviate some of the obstacles they are encountering when they go out to do weatherization. Just a heads up about that, and I would invite

the speakers to provide me with feedback if you have some on that concept. >> Mayor Adler: Okay. Councilmember Casar. >> Casar: And to the mayor pro tem's point, I think that would be really useful and I would love to be part of that conversation. I was just with constituents -- a constituent and their family this week in my neighborhood that had undergone a home repair who part of their home repair was fixing the electrical work because their ac kept on going out.

[10:36:17 AM]

And they have a son with a disability who air conditioning for his room is critical for him, but they still didn't have ac anywhere else in the rest of the house. I mean, these are folks that are hanging on to their homes so much that they are, you know, happy to sleep without ac as long as their child gets air conditioning and the home repair program was critical for that, but it had to do with electrical bills and if we can get those home weatherized as well, then hopefully folks can stay in their neighborhoods and have a comfortable life for their entire family instead of having to sacrifice so much for their kids. I think the home repair program is doing amazing work. If we could find ways to get to that 600 goal, I'm sure we will do it, and -- but we know we need to do so much more. I think pairing it with weatherization and finding other ways of doing that I'm interested in being part of that conversation. >> Mayor Adler: Councilmember troxclair. >> Troxclair: I just wanted to mention that we're not supposed to advocate for or against any ballot measures with city resources. I just wanted to maybe give you the opportunity. >> Mayor Adler: I would certainly hope when I'm on the dais talking to the community I'm allowed to advocate for -- as a mayor of the city, it's something I strongly support. >> You can certainly educate the public any time about the bonds. >> Mayor Adler: I'm educating by saying it's a really good thing. Any further discussion on the dais? >> Houston: I have a question regarding -- something that will come up with housing finance corporation where we also have home repairs in item 2. Do you want to take that up later? Because that's not the only pot of money we can use for home repairs. >> Repeat your question. >> Houston: I want to make sure it's clear the item we're discussing now when we

[10:38:17 AM]

get to the housing finance corporation, there's also an agenda item for home repairs. >> So the companion item on the Austin housing finance corporation is execute the service agreement on the side of the Austin housing finance corporation, so the two items go hand in hand. They do reference the same sources of funds, so the dollar amount is going to be the same. It is true that our current home repair program that is funded by the 2013 obligation bonds is \$2 million, and should the bonds pass, we would -- we anticipate that perhaps increasing over time as we build capacity in our home repair programs or our contractors that do the home repairs. >> Houston: So could some of it be because we don't have the capacity? >> Well, right now -- >> Houston: -- To do as many as people are wanting to. >> There's capacity on all sides, yes. >> Houston: Thanks. >> Mayor Adler: Okay. Thank you. It's been moved and seconded, that's item number 16. We'll take a vote. Those in favor please raise your hand. Those opposed. Unanimous on the dais. >> Pool: I have a question on the consent agenda we've already

approved and I may need to ask for reconsideration. I noticed two project staff had assured would be on the quart cent are not on here. The balance that was rolling forward from district 7 is the same amount so I know they are not in there. I'm happy to kind of hold on until maybe Mr. Mendoza can come up and address the questions whenever he comes. >> Mayor Adler: Okay. So -- >> Pool: It has to do with a pedestrian hybrid beacon and a traffic signal. >> Mayor Adler: Good notice. We'll cover that later this afternoon once you've had a chance to talk and figure out the best vehicles for

[10:40:18 AM]

that. >> Pool: I'll also talk to director Goode. >> Mayor Adler: Sounds good. >> Pool: But they are not on that list. >> Mayor Adler: Let's go to the next item. The next item pulled is item number 19. No one signed up for this. Mr. Flannigan, you pulled this. >> Flannigan: I brought this up in work session. I don't believe there's answers to the expected tax revenues we'll earn from annexation and expected expenses that we'll incur from annexation and I'm really uncomfortable making this decision until we know really what we are promising and what we're going to be on the hook for in the future. As I said in work session, this particular property is not connected to the city, any other city neighborhoods or any other city but for I-35 and being on the other side of 35 and connecting to its most closest neighborhood would require a bridge over onion creek. And there's no -- if you look at imagine Austin, it talks about compact and connected, it seems logical that would be something that would be contemplated. I think given what councilmember Garza led on in getting these new fire stations expedited including one in my district, in the canyon creek neighborhood, it's not impossible to assume that might be a future need for this development. In fact, the mud agreement that we're dissolving as part of this calls for a new fire station specifically to serve this area. So I don't think we should take action on this. I would hope that we could at least postpone this until we have more answers around exactly what financial impact this annexation will have on our budget. >> Mr. Mayor? >> Mayor Adler: Councilmember kitchen. >> Kitchen: I appreciate the questions councilmember Flannigan has; however, I would like to support this because this is just south of district 5, and just

[10:42:19 AM]

south of the onion creek neighborhood. It -- part of it borders on onion creek, which has experienced serious flooding. And there's -- there are differences between the county's flood plain regulations and the city's. This area will be developed in the future. I've experienced these problems before in areas that are outside the city but right next to district 5. We don't have the authority to -- to use all of our regulations if we don't annex the area. So this is not -- this is not a situation where we have people opposed to this annexation, and I think it is important to include it at this point and would be concerned about -- I am concerned about the development that will continue to occur south of this neighborhood and along onion creek. And so I think it's appropriate for us to move forward with this. >> Mayor? >> Mayor Adler: Mr. Flannigan. >> Flannigan: There's at least one person opposed. Mr. Guernsey, I was a little bit confused about this in work session. This area is already annexed under limited purpose, right?



>> Correct. >> Flannigan: And is there a difference between our ability to enforce development regulations compared to limited versus full purpose? >> So as far as the land development regulations of zoning? >> Flannigan: All of the -- environmental, all that. >> Those regulations would apply. There are issues of certainly infrastructure maintenance because they are in that -- roadways aren't maintained by the city. Fire, infrastructure would be actually through a eds, not the -- esd, not city of Austin. But they would have to get a building permission and go through subdivision site plan. >> Flannigan: And don't have to comply with all of our development regulations front to back. >> They would have to comply

[10:44:22 AM]

with building code, water quality regulations, those -- >> Flannigan: It's similar in my understand to go the lake adjacent properties that are limited-purpose annexation have quite a bit of that in my district. This is -- it's exactly the same thing, they abide by all the regulations -- I would be more willing to entertain that as a reason for annexation, but they already have to comply with all of those rules. >> But the drainage infrastructure is maintained by Travis county, it's no the maintained by the city. When you go through subdivision regulations, the drainage regulations would end up being applying would be those that you would find in the county and not in the city because [inaudible] Maintain that infrastructure. >> Mayor Adler: Councilmember kitchen. >> Kitchen: So Mr. Guernsey, could you -- I want to hear again what you just said. So the drainage does not apply, is that what you are just said? >> The regulations that we have that are associated with our development process would apply to a development permit that's being brought in. But the infrastructure is county infrastructure. The city infrastructure is not put in in limited purpose. It's ones that's maintained by in this case Travis county and not the city of Austin. Just like the roadways and the infrastructure for emergency service for fire and -- that would be provided by an esd. >> Renteria: We would not be -- >> Kitchen: We would not be in a position to work with that neighborhood, which is right across onion creek from an area that experienced serious flooding, we would not be in a position -- we would have to work with the county on that, if I'm hearing correctly. >> As far as making drainage improvements to abate flooding conditions with onion creek. >> Kitchen: Okay. >> Because it's not within our jurisdiction for that. >> Renteria:

[10:46:24 AM]

>> Kitchen: We're very concerned about that. Onion creek is one of our longest watersheds,. States in hays county, goes all the way through. It was the area responsible for councilmember Garza's flooding as well as the flooding in the upper onion creek area and I don't think it's prudent since we don't have in front of us a huge dollar amount, I do not think it's prudent to just leave this out here at a time when we can go ahead and annex it. Particularly given the limitations and annexations that we have because of the change in state law. >> The properties before you are undeveloped. >> Kitchen: Right. >> There's no roadway -- >> Kitchen: I know. >> -- Drainage utility infrastructure. The plans they had before pending are no longer active. So they would be starting over with our development process for this area. >> Kitchen: Right, and that's why I think this is the prudent time to annex. >> Mayor Adler: Mr. Flannigan.

>> Flannigan: The reason we don't have a big number in front of us is because we don't have any number in front of us. There is no indication at all what this will cost, what it will cost to subsidize infrastructure in the future. I don't want my community or colleagues to be used about this. All of our development regulations apply. All of them. Yes, they do, councilmember. They do apply. What doesn't apply is the building of the infrastructure. The building and maintenance of the infrastructure would fall on the county. But all of our development regulations, the entire zoning chapter, the entire drainage chapter in terms of how things get built is city. But the maintenance of the -- and building of infrastructure is county. And actually, Mr. Against I, I have a question about this because onion creek is the line, is it not, between full purpose and limited purpose in this case? So if there's -- if the city is the north shore of onion

[10:48:24 AM]

creek -- >> The city actually -- there's a map that's coming up. On either side of onion creek is full purpose until you get to the northern extent of this property, and then it goes to limited. And there's an exhibit that our staff is pulling up, and you can see that the two boxes that are outlined, those are the tracts that are limited purpose. I only mutt this map up because -- put this map up because there is a regional imagine Austin center to the south and all of 35 is in the city. There is -- I think it's called Heatherly tract that's south of the smaller box that's on the left-hand side as I'm looking at this on the screen along 35, and that's full-purpose annex. So the tract that's to the west is to the west and south is full purposed annexed as well as the boundary of 35. And then the eastern tract, the larger of the two, that kind of has that panhandle piece, the top of that panhandle is onion creek, and then to the west of that right along onion creek is full-purpose annexation. >> Flannigan: All of onion creek is in full purpose, so any drainage improvements required or necessary for onion creek would still be the responsibility of city of Austin. >> As you go to the east, I think it splits the property. >> Flannigan: East of this property. >> I probably need to talk to the mapping section, but I think it straddles the creek at that point. >> Flannigan: In this situation, would it be possible or prudent to just annex the flood plain area if that were a compromised position? >> We could certainly do that. I don't have the boundaries of that area that -- that's in the flood plain. You probably want to talk to watershed more because that area might be ex spending. >> Flannigan: The 500 year as I looked it up goes about

[10:50:26 AM]

halfway up the panhandle section. So about halfway from the creek is flood plain, but the rest of it is not. >> I would have to get back with you because I don't have that information handy. >> Mayor Adler: Mayor pro tem. >> Tovo: I just wanted to indicate my concurrence with councilmember kitchen's points on this and indicate that I'm going to support the measure. >> Mayor Adler: Ms. Houston. >> Houston: Mr. Guernsey, don't sit down yet. It's an interesting problem that we have here, but I'm wondering is it possible to bring it back when the developer submits the site plan or whatever process rather than doing it now? >> There are certainly -- you could bring annex future, it is subject to state laws. The --

regardless of annexation or not at this time, this utility district would go away. But the annexation rules have changed and as I understand it the present owner is willing to be annexed. That's not to say future owners may object and there are certain rights that are held by property owners today which did not exist a couple years ago and so there may be a process of notice and it may be more difficult if the -- for annexation and it would be extremely difficult if the property owner did oppose annexation in the future. >> Houston: So the municipal utility district is already voted for annexation. >> They have dissolved, they are in the process of dissolving the mud and are agreeable to this annexation. >> Houston: So under the old legal, we can pursue with the annex because we had a plan in place. >> We can go through and proceed as we are today with annexation from limited to full. That's not to say years from now that that would be still available because of changes in state law. >> Houston: Okay.

[10:52:28 AM]

>> Mayor Adler: Councilmember kitchen. >> Kitchen: I just -- I appreciate -- there's much more to working on flooding in neighborhoods than how a neighborhood is originally built. We have experienced significant issues around how drainage infrastructure is improved over time and how we work with an area. We are much better off if we are in a position to mitigate and we can do that much better if we have an area that's within the jurisdiction. Councilmember Flannigan and I are not going to agree. This borders on district 5. I would like to include it and I would like to make a motion -- I would like to make a motion to approve this item. >> Mayor Adler: I'll recognize you for that in a second. Any further discussion before I recognize Ms. Kitchen making that motion. >> Kitchen: I move approval of this item. >> Mayor Adler: Is there a second? Councilmember pool seconds that. Any discussion? Let's take a vote. Those in favor of the annexation please raise your hands. Those opposed? Mr. Flannigan voting no. Any abstentions? Councilmember troxclair abstains. Alter off the dais. This item passes. All right. That was number 19. I think that gets us to item number 20. Mayor pro tem you had questions you wanted to raise on this. >> Tovo: I do. Thank you. My question for staff, and I support a postponement on it, but my real question for staff is why the backup information for this didn't indicate that these acres are subject -- that these acres are currently subject to the save our springs ordinance regulations. I asked that question and so I would -- in the q&a and got that information back, but was just surprised that that was not an item that

[10:54:29 AM]

was highlighted in the discussion about -- specially since our references to environmental regulations and how they would compare if we release them, if we don't release the land, so that was a -- just surprising not to see that information. >> Virginia Cole year from planning and zoning department. This question came to the city many years ago. We've worked with several different engineers at the city of dripping springs and different staff at the city of Austin over the course of about six years on this item, and it's just not something -- I apologize, was brought to my attention to include in the backup. We were talking about details like net site area and gross site area and what regulations include, but that was an

item or part of the discussion that we just didn't have. >> Tovo: I guess I would ask if this comes back to council that that be a part of -- that that be a part of the discussion, that that be an explicit part of the backup information. I was trying to find the section in the backup information that particularly highlights it. You know, as I understand typically on our agenda if it is a sos variance it has to be called out in the posting language and so we have particular rules governing how we indicate when tracts are subject to sos so I would suggest, again, if this comes back to council under environment, there's a whole section under environmental impact where by my reading it never indicated that they were subject to sos regulations. So thank you. >> Mayor Adler: Thank you. Is there a motion to postpone this item number 20 to October 4th? Councilmember troxclair makes a motion. There a second? Mayor pro tem seconds it. Those in favor? Mr. Flannigan. >> Flannigan: My understanding, you are just looking for more

[10:56:29 AM]

information? >> Tovo: Given typically in our posting language if a tract is subject to sos and there's a variance requested, it usually appears in the posting language. >> Flannigan: I see. >> Tovo: In this case there's not even an indication in any of the backup evaluation that the tracts are currently subject to sos. Under environmental regulations it talks about the restrictions, but never mentions the tracts -- the land is subject to sos. And so I think that's an important point to highlight for transparency with the public. >> Greg Guernsey, I just want to make sure it's clear there's no exception to the sos ordinance that's being requested with this annexation of etj land. >> Tovo: I wasn't meaning to suggest there was. I was just saying it's our practice to -- one is I think it's a rule with regard to those zoning, but by -- zoning, but by the same token I think there's enough community interest in sos, in the sos ordinance and the regulations that it's an important point to point out, to highlight when we're discussing tracts that are subject to sos. That would in effect no longer be subject to sos. While it's not a straightforward variance in the same way other variances would be, in essence the same thing would be happening. They would no longer be subject to sos. >> Mayor Adler: I think the point is well taken and I would join in the mayor pro tem asking legal staff to take take look at that. Councilmember pool. >> Pool: I would like to have an executive session on this. We asked for one but we haven't had it and I think this is an important case to have in executive session. >> Mayor Adler: Motion and a second to postpone this to October 4th. Those in favor please raise your hands. Those opposed? It's unanimous on the dais with councilmember alter off. This item is postponed. That gets us to our last item, which is item number

[10:58:31 AM]

96. Mr. Flannigan, you pulled this. >> Flannigan: Yes, >> Flannigan: Mayor, I'm handing out a flyer here. I really wanted to overlay the mobile home sites with our new gentrification map. And just as a kind of cost and time and process matter for staff, I think it probably makes sense to prioritize the ones in the gentrifying neighborhoods first. There's a lot of zoning cases we're initiating with this action and, you know, there's one in my district, number 20, even though it's not colored as the city, that's the local part they left off the map, so I can only assume it's not gentrifying watching that neighborhood, have very

little development change at the moment, but it just seems either that we should be prioritizing the zoning cases that are happening in the gentrifying neighborhoods or Soley doing the ones happening in the gentrifying neighborhoods as we also simultaneously contemplate bigger changes to the land development code. >> Mayor Adler: Point taken. Is there a motion to approve this item 96?

Councilmember Casar makes that motion, Mr. Renteria furthers that motion. Further discussion?

Councilmember Casar. >> Casar: Mayor, since -- as councilmember Flannigan points out, almost all of them but just a handful are in the gentrifying neighborhoods, I think that the staff time being invested into the marginal ones that are outside is not that much more. And so I would still advocate for the item as it exists for us to just move forward on all of them, while I do think that we do need Hayes on the ones in the generate -- haste on the ones in the gentrifying areas. I do want to point out areas that are considered not gentrifying could include areas where there is development pressure where change could still occur on these sites but they aren't -- and where their community housing market appreciation that could Ford these to develop but where

[11:00:32 AM]

the vulnerable population count is relatively low for that consensus tract and where those mobile home parks may actually be integrating that census tract and could still be at risk of displacement. To the one in particular that you speak to, councilmember, where you haven't seen as much development pressure, I don't doubt you at all, that maybe a few of these aren't gonna change any time soon, but while our staff is going about doing these, I see there's some benefit for them to doing them all at once. And, unfortunately -- and I do think it's unfortunate there has to be a good amount of staff time to go and fix this problem but these are also issues that prior councils and daises have created by trying to push away mobile home zoning rather than preserve mobile homes and it's sometimes our work to go do work to undo things I think the city has messed up in the past and that is what it is. So while I recognize to your point that there may be some of these that aren't immediately facing development pressure, I don't think that just because it isn't on the gentrification map that it may not be in an appreciating area where past council decisions have set them up for potential short-term displacement, if that makes sense. Because they could be in an area where there's housing marketed appreciation but there just aren't very many vulnerable people in that area so the map would not indicate it as a gentrifying area. >> Mayor Adler: Mr. Flannigan. >> Flannigan: Mayor, I understand what you're saying, councilmember. I'm not sure what the point of the map is then. We did this whole process to identify the areas that are at risk, so if we're not going to then prioritize the areas that are at risk because, well, all the other areas could susceptible at

[11:02:34 AM]

risk -- could still be at risk then, I guess I have to think about what the point of this tool is. >> Mayor Adler: Mr. Casar. >> Casar: To speak to that I think that the map is not created to show which areas are at risk or which properties are at risk of redevelopment. It's sort of more of a neighborhood look at

which neighborhoods could see significant demographic change that were mostly communities of color that would no longer be. I think it would still be really useful for those sorts of things but I don't think it drills down so closely to individual properties. So I think that that might be -- your point is well-taken that we have to try to use the map to make decisions, and since this is the first meeting where we're taking votes on that, I'm sensitive to that and want to continue to have that conversation about how the dais feels like we should use this map, and on this one I think the individual property question as opposed to entire neighborhoods. So these individual mobile home properties may be facing redevelopment but they may not be in areas -- some of these you marked may not be in areas where the census tract is overwhelmingly low-income renters and people of color. I think that's the difference. I'd suggest we move forward with all of the cases. Councilmember Flannigan your point is well-taken there may be some of these the staff sees aren't inasmuch of a risk for that individual property to change over because of bad zoning decisions, and I'd be fine with the staff, you know, thinking about that on a case-by-case basis as they move these cases forward. >> Mayor Adler: I'm missing something because I don't see a difference between what you two are saying. You didn't say hold up one for the other. You just said prioritize those. To the degree that the staff can initiate these and they move forward at the same time and doing it that way doesn't hold any up, I assume they'd do that. If staff came back and said we'd have to go slower on some in order to bring them

[11:04:35 AM]

all up at the same time, depending on whether that delay would be material or not we'd probably want to know whether they were holding up half of them because they're trying to do all of them as opposed to doing them all at once. So I see us asking staff by this resolution to do all of them, bring back them all, do them all. But to the degree that some are going to be -- if we do them all at once it adds significantly or materially to the time, then I see it then being potentially germane so that the council and you could make a decision as to whether or not to delay. I've heard you both and I don't see where there's a difference, but I could be missing it. I'll find out. Ms. Houston first, and then we'll come back. >> Houston: Thank you. And I agree with what you just said, mayor. What I'd like to do for district 1 is meet with staff to make sure that all my mobile home parks have been identified because some of them are kind of back in the woods, and I just -- before we do a list of things based upon what's in the resolution or councilmember Flannigan's -- I just need to make sure all of mine are on that list because I don't see any of mine listed and I know I have a lot more than are obvious to some people. >> Councilmember, Greg Guernsey, planning and zoning, happy to meet with you. We obtained the list from our Austin code department, of those that are registered parks with the city so those are the ones that we identified that didn't have the mobile home zoning or were brought forward with a list that we shared with council. So to the extent you have other parks that are not registered -- [overlapping speakers] >> Houston: So I just want to make sure we can say other locations as identified because if some San Francisco mine are not there I don't want this to exclude them from being

[11:06:36 AM]

rezoned for mobile homes. >> Mayor Adler: How would we handle that, councilmember Casar. >> Casar: I think the way we'd handle it, we tried to move a resolution that said all of the mobile home parks without that zoning is I think what would be helpful if you, councilmember, identified more of them, that we just keep bringing the items back to keep -- to initiate more cases if we have to. >> Councilmember, that's correct. If we identify one that's not on the list I would bring it forward as a staff item before you. For your consideration. >> Houston: Because I would really like to do that now because I know how difficult it is to do it after the fact so if y'all could put this on the table and I could meet with them and let them know where those places are and we could bring it back. I want to make sure that mine are not excluded in this go-around. >> Casar: Mayor, I'd be happy to have them work on that. I think we did -- councilmember Houston, already move an item asking for all of them to come back so that was something we passed, I think, last month and this is the staff follow-up with their attempt to do all of them. And so we have already voted to say all of them, staff bring back all of them and find them and identify them and these are the addresses they identified. If there's a way under the current posting for staff to add any that are missing, then I'd be very open to doing that and tabling this and having you talk to the staff. I have no problem with that, needing. >> Houston: I guess my concern, councilmember, is that if we're using the code information that have been registered, some of these are not registered. >> Casar: I understand. I'd be happy to let y'all work on that. >> Council, either way, if you take action today, we'll meet with councilmember Houston's office and speak with you and look at those parks that you feel were left off. And we can -- either you can bring it pack or we can bring that back. And as early as the next meeting. If you want to delay the whole thing we'll do the same process. Just these 20 parcels won't be initiated as quick as

[11:08:39 AM]

this item would if approved today. >> Houston: I don't want to delay the whole thing. I want time to sit with y'all between now and when we vote on this to see if any of mine were left off. >> Mayor Adler: So by the -- the plan was to vote on this. So are you asking for it to be postponed until later in the day or are you asking -- >> Houston: I think that's what I said, mayor. Until I can meet with staff and -- if they got all the ones that are in the woods that I know about that they may not know about, then we can go ahead and vote on it today. That's all I'm asking for, is some time? >> Mayor Adler: Got it. So let's continue with the people who had their hand raised this and then we'll table this and pick this up later in the day. Mr. Flannigan. >> Flannigan: Just to add one more thing, several of these, their current zoning is rural residential or interim zoning, so any change to that would have triggered a zoning case anyway. I bring this up mostly because I'm trying to economize our staff time and resources. When I asked on the q&a of free and easy zoning cases, I think about five hours is what you said. >> Yes. >> Flannigan: But if any property owners don't want this change that's gonna be much more time and it's kind of hard to predict how much time that will take. Because then they would have the valid petition because they own the property. >> That's correct. >> Flannigan: Okay. So I was kind of daylighting that as an issue and finding a way to shorten the list to reduce the risk of that delaying us, but that's just where I was at. >> Council, be aware if we do identify additional properties, we would need to post it on the agenda and meet our posting requirements. So although we might be able to identify them today, I don't believe

council -- and law can correct me -- we could take action on those because we're not posted for those additional properties and we would probably have to bring this back. We could bring it back at the next meeting but we

[11:10:40 AM]

wouldn't be able -- but we wouldn't be able to take action today. >> Houston: Thank you for that correction for the legal posting. I will withdraw my request to leave it on the table. >> Mayor Adler: Okay. There's been a motion and a second. Any further discussion? I still hope, Ms. Houston, that you follow up with that conversation and bring it back to us. Motion and second. Those in favor please raise your hand. Those opposed unanimous on the dais. Hang on a second. How did you vote, councilmember? Voted no. Councilmember troxclair votes no, others voting aye on the dais, with councilmember alter off. Mr. Casar. >> Casar: Mayor, do I, with that clarification, I want to offer that if anybody finds anymore in their district, including those that councilmember Houston may identify, I'm ready to help and make sure that we get those moving as quickly as we can. I appreciate how much unity there is on the dais on this issue. I know we don't usually initiate zoning cases but these are just -- it's historically been that mobile home use has not been prioritized by the city and that's why they have oftentimes been zoned for office buildings or single family subdivision and I think given the affordability crisis we face it's important for us to go and rectify past decisions so thank you all for your support. >> Mayor Adler: Thank you. That takes us -- item number 62 we can take up to approve a resolution authorizing the manager to apply for a million dollars dollars in grant funding. This couldn't go on consent agenda because of state law referencing this kind of request. We need a motion to approve item 62. Councilmember Garza makes that motion. Is there a second to that? Mayor pro tem seconds it. Any discussion? Those in favor please raise your hand. Those opposed. It's unanimous on the dais with councilmember alter off. We have two items that we can take up, items number 62

[11:12:45 AM]

and 63. I'm sorry, 63 and 64. Item number 63 is a resolution appointing a representative, Peter Stephenson to the Austin regional intelligence center policy advisory committee, is there a motion to approve this? This came from the audit and finance committee. Is there a motion to approve? Councilmember pool makes the motion, seconded by councilmember troxclair. Any discussion? Those in favor please raise your hand. Those opposed. Unanimous on the dais with councilmember alter off. Item number 64 -- >> Kitchen: I thought we had asked for executive session for that one. >> Mayor Adler: We did. We'll discuss that in executive session. We do have a speaker that's signed up for that so I'm going to take the speaker first. While we're here. Mr. Burkhardt, William Burkhardt. >> Mayor, councilmembers, I'm here for questions only, if you've got any questions on the item. I know we had a couple comments and ambiguity on the -- at audit and finance. If you've got some questions on those, I'll be happy to answer those. >> Mayor Adler: Anybody have any questions at this point? Hang on a second. Mayor pro tem. >> Tovo: I have one. Are we just posted for discussion here today? >> Mayor Adler: Yes. >> Tovo:



Ah, okay. I would invite Mr. Burkhart, I know we've had an opportunity to talk and you've provided my office and I think others with information about the need but I'd invite you to explain to the council what the board of adjustment has identified as the need. >> Right. So the situation we have has to do with interpretation appeals, and we have a situation that may be construed as ex parte

[11:14:46 AM]

communication between the parties on the -- parts -- parties involved in the discussion. So you may have an opposition party that has no -- you may have city staff representing the city in one case and giving advice to the board of adjustment at the same time, and the opposition party or appellant in this case may not have that same -- is somewhat disenfranchised with respect to communication allowed. So there's a perception that the communication happening between the city attorney and the board of adjustment is biased or presents an appearance of bias since the city attorney in general is also discussing the case with development services staff. So there's -- the board has made a resolution to request a separation, a separate attorney, for peninsulas cases -- for peninsulas cases interpretation appeals cases. From July 2017 to June 2018 we've only had a total of four interpretation appeals cases so the board is fine with the representation that the city attorney has provided with ordinary variance request and variance cases but with respect to interpretation cases there is a circumstance that could be perceived as unfair to the appellants. >> Mayor Adler: Yes. >> Tovo: Mr. Burkhart, for those who might be listening to the discussion but aren't really familiar with what an interpretation case is, could you give us maybe an example of one? And then take us through why in that case the board, either theoretical one or actual one, to help understand exactly what you're talking about.

[11:16:46 AM]

>> Sure. In general a interpretation appeal has to do with a challenge to the way development services staff is administering or interpreting the code, and there's a -- you know, one instance of this was the attic exemption that mcmansion allowed. And there was an interpretation request on it that -- for one reason or another councilmember tovo the board and the board -- came to the board and the board determined that the development services staff was affording was not consistent with the intent of the mcmansion ordinance. And that -- in the weeds that had to do with how much of a -- an intersect point a roof might have at the edge of an exterior wall. Another instance would be the single family attached zoning type, and in that case over time the -- there had been a city interpretation that allowed two structures that ostensibly should be attached to one another by a structural element to become separated with the interpretation being that anything, basically any trellis or, you know, a small Arbor, would be allowed to be construed as a structural element. So that's the kind of cases that we deal with. We have -- they become more complex. We had one case that was -- again, the zoning interpretation a use case, that was the most significant case that we've had in my tenure on the board. And that had to do with zoning interpretation for a use on a church property for an outdoor auditorium and it took -- I think that case originally came up in 2008. It came -- had to go through district court, and the

[11:18:48 AM]

district court upheld the appellant's right to bring the case to the board of adjustment in about 2015 and ultimately that case was postponed and then ultimately resolved before we actually could take action on it. So that's more or less what we deal with. That case was one that had the potential to require significant resources and that would have been one case where the need for a separate counsel -- that's one case where without having a separate counsel the likelihood is that the city would have been challenged on these grounds. The other cases problematic perhaps but the appearance of impartiality is what we're trying to maintain. As the city has grown it's important that we grow and administer our charges with it. >> Mayor Adler: Yes? >> Flannigan: To make sure I understood what -- did you just say you think that the city is likely to have these cases challenged? >> I say in certain instances there's a possibility that the city could conceivably be challenged because of the perception -- because of the factual -- and, again, councilmember, I'm not an attorney. But there is a perception -- or there is a reality that the city attorney is -- and in many cases there are work-arounds, of course, but in most cases and up until now, basically the same city attorney might have been giving advice and/or working with development services staff and then giving executive session communication to the board of adjustment with respect to the disposition of a case. >> Flannigan: Okay. >> So that's -- and, again, I'm not a lawyer, but that would be the basis for a challenge if there were one. >> Flannigan: Thank you. >> Yes. >> Flannigan: Mayor, if I'd add one more thing. My appointee to the board is a lawyer and has much

[11:20:51 AM]

experience doing municipal law, and she -- there are folks who don't agree with that assertion and the folks who don't agree with that assertion are lawyers who have experience in this area. I just think the public needs to know that it's -- that there are other perspectives on this. >> Of course there are. May I make one point. >> Mayor Adler: Hang on. We'll come back and we'll discuss that in executive session. Thank you very much. >> All right. >> Mayor Adler: Councilmember pool. >> Mayor Adler: Does anybody else have any further questions for Mr. Burkhardt? >> Pool: Not for Mr. Burkhardt. Thank you. >> Thank you. >> Pool: I guess this would be for the city attorney. Does the structure of the city attorney's office, is it such that you have different offices or divisions or separation among your lawyers that there would not be this kind of perceived as conflict of interest for the attorneys who work for the city, in the city attorney's office? I know large law firms tend to have people kind of separated out so that there isn't any of that leakage or apparent cross-pollination. >> We have lawyers, obviously, who do different things and lawyers who tend to represent this board. And if there is a conflict or anything that we want to perceive as that we either have separate lawyers within our office represent them or if there were a true conflict we often hire outside counsel are open to do that on a case-by-case basis. >> Pool: I know we often hire outside counsel, which I think is a useful practice. When attorneys in the city attorney's office are in a situation such as Mr. Burkhardt is describing and we have two different attorneys, do they

understand and is the practice that they do not share information? >> In a situation where we have given advice to a client department we also give advice to this body and

[11:22:53 AM]

to other boards and commissions we represent. So those situations happen all the time. If there's a situation where we have lawyers who are working on something and know that they're not going to talk to each other, they certainly don't. We take the appropriate action. >> Pool: Mayor, are -- we're going to talk about this -- >> Mayor Adler: We're going to talk about this in executive session. >> Pool: I do have some serious -- and have had for some time over the perceived conflicts of interest so I'm glad we're taking it into executive session so we can talk about it. >> Mayor Adler: Mayor pro tem and then Mr. Flannigan. >> Tovo: Just to follow up on my colleague's question, if I could ask our city attorney, are there multiple attorneys who advise the board of adjustment? Or is it primarily -- >> Primarily our land use lawyers, primarily [indiscernible] >> Tovo: Are those the same attorneys who are also advising our staff in development services on the same cases? >> Yes, we often have the same people talking to staff and talking to the board of adjustment. >> Tovo: Okay. >> We'd be happy to address that now or later. >> Tovo: All right. Thanks. I just wanted to follow up on that because we were talking about it sort of theoretically but in my understanding it is the same attorneys. >> Mayor Adler: Okay. >> Tovo: With regard to the board of adjustment and the cases. >> Mayor Adler: Anything else before we -- yes, Mr. Flannigan. >> Flannigan: I just want to note that the funny thing about perception is sometimes that can be created by us. By the things we say on the dais. And it can be created by folks who are looking for an angle to disagree with an outcome. And we hear it quite frequently, frankly, in our jobs as politicians that perception is reality. But when it comes to the law, I think we have to be very careful about crossing a line between perception and reality. And I think I'll save the rest for executive session. >> Mayor Adler: My suggestion would be since we're going to go to executive session let's hold off until we get to

[11:24:53 AM]

executive session so that takes care of item 64. As I look at the agenda, I don't think that there's anything else we can take up now. Oh, housing, sorry, thank you. [ Laughter ] So I'm going to recess city council meeting here at 11:24 on September 20, 2018, and I am going to convene the meeting of the Austin housing corporation. Hang on one minute. This is item number 65.

[See separate transcript for Austin Housing Finance Corporation]

We're back in the city council meeting here at 12:48. We can't take up anything else. We have citizens communication at noon. I'll be stepping off the dais and mayor pro tem will be taking over. We have ten minutes. Do we want to try and go back to executive session in ten minutes on item 34 or hold that until after citizens communication? Seems to be the desire. Okay. So I think, Mr. Renteria and I will both probably not be with you for some of that conversation and we'll get back as quickly as we can. Or I will as quickly as I can. Councilmember pool. >> Pool: In the meeting I mentioned I was going to ask for

reconsideration of item 28, and I'm really close to being able to do that. The projects that had not been included on the list I now have them in a form that we can add them in, so I'll leave it to you -- I don't think we've passed it out to anybody on the dais. >> Mayor Adler: We'll take that up right when we come back. >> Pool: That's great, thank you. >> Mayor Adler: So we're going to take a ten-minute recess here because you have citizens communication at noon, can't take it up before then. After citizens communication, we have this one item in executive session. If you do it right after the community conversation, I won't be able to participate. If you wanted to reconvene

[11:51:06 AM]

city council back there at 1:30, I'd be back for that. And you could do the executive session in the half hour before we convene at 2:00 out here. >> Tovo: Mayor, that would be my suggestion. I also have a noon event I was invited to that I'll be at least at the very best arriving late to so I would suggest since we're missing councilmember alter, councilmember Garza and now you and councilmember Renteria that it's becoming not terribly useful to have the executive session without that number of people missing so I'd suggest we come back at 1:30. >> Mayor Adler: If you would then do -- >> Tovo: We'll do citizens communication, recess and come back at 1:30 for executive session. >> Mayor Adler: The other alternative is we could come back at 2:00 because most of the planning and zoning items I think are being postponed and we're not going to be able to move the last items until 4:00. My sense is there's going to be a break there too. Just come back at 2:00 and we'll pick that up and then go back to executive session. That seems to make the most sense. With that everyone should relax for a second and at noon you can call citizens communication. So we're in recess until the mayor pro tem brings us back. 11:52. [ Recess ]

[11:58:56 AM]

...

[12:01:56 PM]

>> Good afternoon, welcome back. I'm mayor Kathie tovo. Mr. Farmer, come on down and you you are followed by Dr. Kim. Dr. Kim, I see you're in front, you will be right after Mr. Farmer. Welcome in, colleagues. We're going to get started. We're going to get started with our citizens communications. Welcome, Mr. Farmer, you have three-minutes. >> Thank you. >> I wanted to make an observation I witnesses about furniture in the APD about furniture and it was a large furniture contract and I thought that councilwoman. >> Garza: Brought counsel sill woman Garza brought up a good point, should we slow down on this, this is expensive. I was surprised she was out on a limb, the only one that felt this way. I was hoping there was more discussion. It seemed like a large amount of money, I found it hard to

believe there wasn't a local furniture store in Austin that could meet our quality and expectation at a fraction of the price. I'm not here to dwell on that one issue but it shine as larger light on first can responsibility. I know you know this already, but really the city's budget for a lot of folks is a matter of life and death. The furniture isn't a matter of life or death. Nobody is going to die because we got cheaper furniture or better furniture but when there is connections to APD in our budget, homelessness in our budget, if we are have a bloated budget, if we're spending too much money on furniture, that is the next year we could screwnize and put more money to -- scrutinize and put more money to safety. In the hustle and bustle, it is easy to dismiss those things but I felt it would have been nice to see more critical thinking on

[12:03:58 PM]

that topic. I worked at college and I was responsible for purchasing the furniture for residence halls and you witnessed the furniture companies get cozy with you. He will buy you free alcohol at events and free food, I was disappointed in the mayor to say I trust the people who make those make those decisions. Those words are dangerous to this body. I trust the professionals to. Not that I don't trust them, but we don't elect them, we don't know them. You have personal relationships with them, so we're counting on to you ask those questions. Anyone can ask easy questions, children can ask easy questions. We're counting on when you it comes to asking the tough questions for the budget. Maybe your agendas are so damn long maybe it is easier to move on. A polite reminder when you see dollar reminders that long with things that seem as tedious as furniture, a little more thoughtful discussion would be nice to see. Thank you so much. >> Thank you, Mr. Farmer. >> Mayor pro tem. >> Yes, council member. >> I wanted to thank the speaker for coming down here today and I wanted to make you aware that there will be a proposition on the ballot in November called proposition K that has to do with a comprehensive performance audit for the city of Austin. You might be interested in looking into that. >> You weren't here that day in that discussion, I suspect you would have been in on that conversation so you get an out on that but thank you very much for mentioning that. >> Thank you. >> Thank you, Mr. Farmer. Dr. Kim. After Dr. Kim will be Mr. Robins.

[12:06:06 PM]

>> Good morning. I really appreciate to see you again. See how many people are here. One, two, three, four, five, six, seven. Less than 10 people are here. Why? Where is mayor? Raise your hand, the mayor. Mayor is not here? Raise your hand if you know democracy. Anyone? Raise your hand if we know democracy. Raise your hand. Okay. Explain it. What is democracy. >> You're up, not me. >> Explain, what is democracy. >> You're up, not me. You tell them. >> Oh, raise your hand if you know democracy. Okay. Then raise your land if you know terrorism? I know terrorism? Yes, what is it? Very good, wonderful, exciting. Right now, America itself is very, very dramatic, wonderful. Jesus Christ sent me so many angels to me these days so America is better than heaven, really. I prove America is better than heaven, scientifically and -- go on, raise the question, but Austin city council, completely broken. You don't know

democracy, you don't know terrorism, what are you going to do? This today, this is a new times today, new times put the picture

[12:08:08 PM]

-- what it say, the plot to subvert an election on Russian story so far, killing Donald Trump's presidency, "The new York Times," American enemy. Where's Donald today? The president showed up to help distribute meals in north Carolina flood. President job is not that. He is the president, not only of United States but also he's the president of the whole world but he was there. How wonderful he is! I carry all things signs because some people saw the signs said to me saying that. The president Donald Trump is the best of the whole world, and not only America -- >> Thank you, Dr. Kim. >> Nobel peace prize. >> Tovo: Thank you for being here today. >> Thank you. You need to change city council. >> Tovo: Next is up Paul Robbins, you will have three-minutes and you're followed by silver white mountain, Sylvia Mendoza. >> Council, the legendary comedian Lilly Tomlin once cracked there is so much to be is in can about, it is hard to keep up. -- Is in clinical about, it is hard to keep up. I notified Austin utilities there was something wrong with the program due to flaws in the

[12:10:08 PM]

automatic enrollment process, it was enrolling people who were quite wealthy. You would thinking so something so fundamental as giving the poor people's life line discount to the wealthy would be quickly fixed in a month or two. Instead, it took 3 1/2 years and involved close to a year of my own volunteer time. Now, let me -- let thereby no misunderstanding. You finally assigned Austin energy to accomplish specific task and they have done so, by my inspection about 93% of the very wealthy undeserving customers that I identified last year are now off the cap rolls and this will probably rise to about 97% when the process finally ends. But, these are just the wealthiest customers, the underlying problem of rewarding life line discounts to undeserving customers continues. Could you flip the -- I don't have a -- here is one example, a 2500 square foot home in zilker neighborhood, valued at over \$600,000 with its own swimming pool receiving customer assistance. A show of hands, please. Is any council member good with this? Good. I intuitively believe there are thousands of people receiving cap above the 200% of poverty threshold, it was designed to serve. The underlying problem is the council's blind faith in automatic enrollment as a philosophy. Many social service professionals consider auto enrollment superior to other forms of program enlistment because they believe many poor people, either do not know about the programs or do not know how

[12:12:09 PM]

to apply. But, auto enrollment is just a tool, and this tool is not working well with cap. You inherited this philosophy from the 2012 rate case. The council has never made its own determination of auto enrollment's effectiveness. Like so many people on both the right and left, we go to artificial standards of political correctness rather than practicing matic policy. I cynically wonder if I will be here four yours from now complaining, I encourage to you hold a discussion about cap's problems at the January meeting of the oversight committee. Thank you. >> Tovo: Thank you, Mr. Robbins. Miss Mendoza, you have three-minutes. You will be followed by Sherri guess. >> I have time for greetings. The translation hello and how Dakota, the most common form of hello. Where is my afternoon nemesis today? Afternoon arch enemy, I beat him once. I got a new name, silver white mountain but I'm the same person. Ancestors come from land beyond blue water many moons ago. My ancestors were both the pilgrims and native Americans. We have both the same thing common, half breed. You pale face speak with forked tongue, say one thing and many another. Them budget numbers no speak-em

[12:14:10 PM]

good, translation money. White man make war so now you hear this. [Music] [Cher's "Half breed"] >> What we've got here is failure to communicate. Some men you just can't reach, so you get what we had here last week. >> People speaking with interpreters. My arch nemesis. >> I don't like it any more than you. >> People speaking with interpreters, no make sense to silver white mountain this was for your own good. I could play some real native American music but instead I've chosen to play this so you understand. Remember shall I don't have the rights to this music. I do thank you. And this is but a prelude of what is yet to come. My time is not up yet? I told you I was the same

[12:16:11 PM]

person. Let me see what we can play. >> Tovo: Thank you very much. Okay, next is Sherri guess followed by Susan almonza. >> Good around, council members and thank you for taking the time listen to me today. I'm here about an experience with animal control and I hope the council can help improve the service for the future. We recently had an interaction with animal control I can best describe as work. My daughter and I identified dogs we thought were in distress and when we exhausted all of our own resources we called animal control to exist. We knew from the barking the dogs were kept outside most in not all the time and we learned recently the owners moved to a new home in a different city. The owners were still coming back and home to the dog house, albeit infrequently, but we were worried the dogs did not have adequate food or water and they were out, unattended in the brutal heat of July. To me this was not dutiful care of pets, as temperatures combines with heat indexes, we were in the low 100s. When animal control came to visit, we found there was no issue with the condition of the animals. Not satisfied with the outcome but to teach my daughters the correct way to handle issues was to follow protocol and called animal control again. We were put in contact with a wonderful advocate that hipped us with the process of continuing our complaint. We learned from the second report, although

there were violations of the city ordinance, the owners were not cited. The owner told animal control they were moving and trying to

[12:18:13 PM]

rehome the dogs so animal control thought best to hope for the best. These neighbors were not cited. We called a third time and it is assumed that animal control made the owners do something different with the dogs because the last thing we saw was a neighborhood post that the dogs had gotten loose. I'm not sure if they were ever found but their owners. What is hard for me to swallow is I'm working very hard to teach my daughters to be community and civic minded and to do the right things at all times, because it is the right thing to do. It is heart breaking to me they didn't get to see that example with animal control this time. I'm not a political person, but I felt that I had to take this opportunity to speak on behalf of these dogs, on behalf of my daughters and on behalf of doing the right thing. I would like to learn more about the system, so that I can help be a part of the solution. Because currently the solution is not good enough. For my children. I'm so thankful that we're head of most communities in hosting a no-kill shelter and I want our city to continue to lead the charge against animal abuse. I would like to thank you again for hearing my daughter's story and I hope that we can all do more together to protect all the lives of people and pets in Austin. Again, I'm Sherri guess, district 1. Thank you. >> Tovo: Thank you so much. Miss guess, you did also e-mail us? >> Yes. >> Tovo: I think I remember you communicating with us via eye mail and I would ask the city manager if you would follow-up and appropriate advise us some information about the choices that were made so that we can connect back. Thank you for being here today. Miss Almanza. And then next up will be Jim Richardson. >> Good afternoon, mayor Adler and city council members. My name is Susana Almanza and I am with a social justice organization. I worked for decades to protect and preserve neighborhoods.

[12:20:14 PM]

The city adopted a master plan to relocate people of color. In the 19 1920s, people bought homes for 2,000 to \$8,000. They are now valued at 50,000 and above. They decided to embark on a neighborhood plan process. One neighborhood from west and east Austin would be chosen. We then began to organize the submitted plan on behalf of east Austin. Five neighborhoods came together. [Listing neighborhoods] >> At the deadline for submissions. The east Cesar Chavez neighborhood submitted their plan as a separate application. The Pueblo network did not know they were secretly meeting with city staff and developers and had made a deal. For over a year, neighborhood leaders and residents fought against the east Cesar Chavez plan, stating it would cause major displacement of long-term residents and gentrify our neighborhoods. They caught the displacement of hundreds of families and they supported the first high-priced condos in east Cesar Chavez neighborhood while residents protested. Move forward to 2015. The councilman began to advocate for high density development and stating over and over that high density meant affordability. There is no evidence of density create ING affordability. The councilman refused to listen she to gathered over 31 signatures to but the code next on



the ballot. Again, he voted against a validated petition on the ballot and we had to take to court. The judge ruled codenext had to be put on the ballot. Democracy won. The people did not pass it

[12:22:17 PM]

would have increased property taxes and rental prices, it would mean more displacement. Where do we go from here? We must vote for proposition J which gives residents a choice to approve or disapprove any plan like codenext at the ballot, the most important aspects of the land code, prioritize the needs of residents and discourage their placement and construction of truly affordable and low income housing and streamlining the city's inefficient permitting process and returning to the districts. Implement a plan which encourages housing, environment and equity. Thank you. >> Tovo: Thank you, miss Almanza. We will have the city manager advise us, we are under restrictions from talking about using city resources for campaign purposes so if you would talk about the local speech. Okay. Thank you very much. Jim Richardson, you are next, and Samuel Maxie is up after Mr. Richardson. Mr. Richardson. Jim Richardson? Okay. How about Samuel Maxie. I do not see Samuel Maxie. Oh, Carlos Leon, followed by Jose Vera. Mr. Leon, you have three minutes. >> Len. De Leon must be someone else. Don't try that with me. Carlos Leon. Austin, Texas, December 27, 2018, to speak what is right. First and foremost, thank you for letting me fight evil. Two black cap metro drivers

[12:24:18 PM]

recently told me my face was on a basement wall, like a wanted poster. Treating me like a criminal in their self-created anti-reality, to try denying me use of public transportation in reality. Though they are the criminals. That's how sick, shameless, selfish feminist Democrats roll, like Chris teen Ford trying to torpedo Jung Kavanaugh's supreme court nomination. She said, quote, I thought he might inadvertently kill me, alleging he pinned, groped and grinded her before trying to take off her clothes when he was 17 and she was 15. Yet she also claims she did not tell her parents or police because she feared getting in trouble for being at a party with alcohol. Not passing the sniff test. At best, some key details appear missing from her retelling. More likely, at a 1982 high school party, she willingly entered a bedroom with two or four older male boys whose attention she probably liked at first, including their playful flirting and touching. But, when the drunk, horny boys went too far, too fast, crossing the line, they terrified her out of there. She, not telling parents, police or anyone else to not be slut-shamed, no not ruin her reputation, especially if she had been drinking, too. Because the senate judiciary committee would likely ask her about such clarifying facts,

[12:26:19 PM]

Ford does not want to publicly testify before them to expose or purger herself. Bottom line, her high school drama belongs in an after school special TV movie. Not a supreme court justice confirmation hearing. Bottom line, move forward and vote asap, up or down on Kavanaugh, and stop these insane obstructionist attempts to get another conservative supreme court justice. In Jesus name, I pray, amen. Thank you, lord, god bless Texas, the United States of America, constitutional law and above all god's word and truth. >> Thank you, Mr. Leon. The last speaker of the day is Jose Vera. Thank you, you have three-minutes. >> Whites only. Whites only. What a terrible thing to say. What a terrible environment to be in. Yet, the city of Austin has provided that environment in the development of the old Mueller airport but excludng the nwbe of the city of Austin. By that, there is a department, smbr, that runs on a \$5 million budget with over 30 employees that facilitate the participation of minority contractors on city land. It's the only developments that we have where minorities can have any kind of opportunity to do construction business, any kind of business, professional services and what not. In a negotiation for the Mueller

[12:28:24 PM]

development, the city chose to exclude the department of small minority businesses and their involvement. What I've discovered is that not only do city council but many people before you are under the idea that there is an nwbe program. The nwbe program is a program that is self-imposed and governed and run by the developer. White developer. That's where the white business only comes from. We have a council here that is predominantly, majority white councils, the governor body that put this in place. Now, there's been stories that numbers were not available at the time for goals. That's not true. There's a third party agreement and the city of Austin, minority owns and women-owned business, entrepreneurs, procurement program, requirements guide book. I'm looking at the may 2012 revision. These things have been long before the negotiated deal at the Mueller development. I retired in 2004 from construction as a minority contractor. I was certified in 1998, so it is disturbing to hear and see that numbers and reports that are being provided to you guys are reports provided by a eat the timety who is self -- entity who is self governing and imposing their own minority program under the guise of the city of Austin. Their program has success rate of 27% and, at the same time, the developer acknowledges he is using certified and noncertified minority contractors. The city will not recognize Dallas, Houston or any other city's programs. Very strict, very difficult to get into. It is very scrutinized for a reason. The city of Austin has vested \$4

[12:30:26 PM]

million study that gives us the -- [beeping] >> Strength of having these programs. I would like to hear from you guys at some time and I will reach out again. Thank you. >> Tovo: Thank you for being here. Sir, I know my office put you in touch with economic development, have you had some conversations? >> I've had no success. I've run into closed doors and I've been going through commissions, the advisory committee has only two meetings of the last nine-months, so there is nowhere for our community to go

to and be heard. I've went to the commission last night, which is economic prosperity to voice out and to make aware of what's going on. You guys are in the dark. You all need to ask some questions from economic development. There is a lot more to this and three-minutes is not enough to go over something that's been the last 10-years. >> Tovo: Okay. >> There's quite a bit more. >> Tovo: Thank you. Thank you for being here. >> And Mr. Vero was at the African-American resource advisory commission a couple weeks ago and expressed the same concerns. >> Yes, I did, and through that, that's where I'm discovering there are many people and rightfully, so you guys were not in office, these thing has happened. There is 750-acres of development opportunity and there's still more left to do and there needs to be a change, and people need to be brought up to speed of what the city can do and their obligations to the community. Thank you so much for your time. >> Tovo: Thank you for being here. Colleagues, that is our last speaker for today, so we stand in recess until 2:00. And, then, when we reconvene at 2:00 we will take up our consent zoning and then recess, not recess, we will go into executive session at that point. So we stand in recess now until 2:00.

[1:58:26 PM]

[Recess]

[2:14:37 PM]

>> Mayor Adler: All right. We have a forum and we're back September 20th, 2:14 -- it's September 20th, 2018. It is 2:14. We'll pick this meeting back up. We're going to begin with the planning commission consent. We're going to handle Leslie's item 28, the revision, and then we're going to probably stop and do executive session. >> I'm Jerry rusthoven. The first two items for the public hearing is closed, 67, co 142017 on 052. This is a postponement request by the staff to October 4th. 68 is case c14-2016-0094. This is ready for approval on second and third reading. For those cases in which the public hearing is open, we have item 69, case npa-2017-0021.01. This is a postponement request to November 15th by the staff. Item 70 is case npa-2017-0016.03. This is a postponement request by staff to November 1st. Item 71 is case c14-2017-0138. This is a postponement request by the staff to November 1st. Item 72 is case npa-2017- -- >> Mayor Adler: The 1st or the 18th on 71? >> The 1st. I have the 1st. 72, 2017, this case has been withdrawn. Likewise, 73, zoning case, c14-2017-0106 has also been withdrawn. Item number 74, case c14-2017-0066, this is a postponement request by the staff to November 1st. Item 75 is case c14-2017-0100. This is a postponement request to staff to November 1st. Item 76 is case c14-2018-0044,

[2:16:40 PM]

councilmember alter has requested a postponement of this case to October 4th because it's in her district and she's not able to be here tonight. Item 77 is case c14-2017-0004. This is a postponement request to November 1st by the staff. Item 78 is case c14-2018-0053. My understanding is that councilmember Garza would like to have this case postponed to October 4th. Item 79, case npa-2018-0001.01. This is a postponement request by the applicant to October 4th. Item 80 is case c14-2018-0039. This is a postponement request by the applicant, also to October 4th. Item 81 is case c14-2018-0068. This case is ready for consent on all three readings, but I understand that councilmember Flannigan would like to have this case discussed. Item 82 is case c14-2018-0061. This item is ready for consent approval on first reading. Item 83 is case c14-2018-0066, ready for approval on all three readings. 84, c14-2017-0116, this is ready for approval on all three readings. Item 85, case c14-2018-0069. On this case, the request is to remove a prohibition that exists today prohibiting auto-related uses in communal storage. The applicant has been working with councilmember Garza's office and has agreed to amend the request to leave the prohibition of auto-related uses on the back half of the tract. We have the field notes to do that, so if we approve it on first reading today, I consent to bring it back on second and third with that condition added. 86, -- >> Mayor Adler: Do I understand, if it stays on consent, 85 is to approve on first reading just the one-half of the property? >> We'd approve the entire property but it would leave the

[2:18:41 PM]

prohibition of auto-related uses on the back half instead of removing it from the entire property. I spoke with the applicant. He's here today. 86, c14-2017, this is ready for consent approval. Item 87, npa-2017-0016.02, this is a postponement request to October 4th by the staff. Item 88, zoning case, c14-2017-0094, also a postponement request by the staff to October 4th. >> Mayor Adler: On 86, that's approval of what? >> Approval of restricted covenant amended so it -- does not require three readings. >> Mayor Adler: One reading. Okay. >> Yes. Items 89 and 90 are discussion. The public hearing was left open. I believe councilmember Casar would like to discuss these two cases. That concludes your consent agenda. Now to clarify, if you have a motion, it would be to close the public hearing as well as directing the staff to place the items that are postponed October 4th on the addendum. >> Mayor Adler: Your last note was with respect to 89 and 90? Is that what your last comment was directed? >> No, that was all the cases, if we had a motion to approve the consent agenda. I just want to clarify to close the public hearing and I need direction from council to put the items postponed to October 4th within the addendum because we're within that window. >> Mayor Adler: Okay. Consent agenda, 67-90, items I'm showing as being pulled are 81 and 89 and 90. The others remain. All of them that are remaining are to close the public hearing and the ones that are on October 4th postponement would need to be put on the addendum. Is there a motion to approve the consent planning agenda? Councilmember pool. Is there a second to that? Councilmember kitchen. Any discussion? Those in favor, please raise your hand. Yes, Ms. Houston. >> Houston: Mr. Rusthoven on item number 88, that's in district 3, not 1. It's posted on --

[2:20:41 PM]

>> We'll change when it we come back. >> Mayor Adler: Okay. Those in favor, please raise your hand. Those opposed? It's unanimous on the dais with councilmember alter off. >> Thank you. >> Mayor Adler: That's the consent agenda. Okay. Good. Is there a motion made by someone who voted in favor of item number 28 to reconsider 28? Councilmember pool makes that motion. Councilmember Houston seconds that motion. Those in a favor of the motion to reconsider, please raise your hand. Those opposed? We're reconsidering. Gets us back to item number 28. Councilmember policy, you want to make a motion on 28? >> Pool: I'd like to make a motion to approve the revised exhibit "A" that was attached to item 28, and you'll see the additional three projects that were inadvertently not included on the list in the first place. >> Mayor Adler: So to repass 28 but with these additional notes that have been handed out. Is there a second to that motion? Councilmember Renteria seconds that. Any discussion? Councilmember Casar. >> Casar: Mayor, one of the items listed that's still yet to be decided, how much is split between district 4 and 7, is signal or -- a traffic signal that connects district 4 and district 7. I'm supportive of connectivity in that place, but I am supporting this with the acknowledgment that there -- from district 4 residents, a lot of what I've heard is actually one street up needing better traffic signalization and allowing people to more safely cross at that location, and so I just want to make -- I'll bring up the conversation to make sure that anything we're doing at banion street, which is on this project list, doesn't preclude the important work that I've heard much more from district 4 residents a little bit further north. Just want to make -- note that and make sure the staff has heard that because I don't want to be

[2:22:41 PM]

precluded from doing what I've heard more if district 4 residents because of this, but I don't see them in conflict. But, again, not being an engineer, I just want to raise that. I see hopefully an ability for us to have connection at banion and also at morrow, further north. >> Mayor Adler: Okay. There's nothing in here that would preclude the connection or the traffic light at the other intersection. >> Pool: Actually, mayor, I can respond to that. The concerns are on the west side of morrow where there are -- Austin traffic department has a list of reasons why the intersection is handled the way it is for safety reasons, and we can delve into that more deeply possibly at another time because that is -- actually that project is not on this list, and this does represent the opportunity for people to the east side and the west side of Lamar to cross in approximate area to morrow, but acknowledging the problems of morrow, this is my attempt in working with Mr. Casar to try to address the neighborhood's concerns on both sides of Lamar and allow them straight across and left-turn access onto Lamar. >> Mayor Adler: Councilmember Casar. >> Casar: And to me, doesn't it address the issue that councilmember pool just raised because people crossing at banion still cannot get over to burnet road. It does create the opportunity for a left turn, but it does -- to me, setting a traffic signal at this location doesn't solve the issue that overwhelmingly has been brought up by district 4 residents, which is that on the district 7 side, you can drive into district 4 at this light, but on the district 4 side, you're blocked by a concrete barrier from driving over to district 7. And in order to not have that conversation today, because I don't think we've been -- we're prepared to have that conversation today, I just want to raise that this traffic

[2:24:44 PM]

signal, while I'm supportive of it, I don't see it solving the bigger problem that we may have to deal with, which is a vestige -- is a vestige, we can have the engineers bring it up, but saying it's okay for the west side of Lamar to drive onto district 4 but not the other way around. >> Pool: I would respond to that, that actually is a characterization coming from this dais, but the project in front of us today, there was money set aside when the development at midtown was approved, money was put into our reserves in order to fund a traffic signal at banion and north Lamar, and that money has never been spent, so I am tapping into the money that we otherwise would have to give back in order to get the traffic light that the residents on both sides of Lamar expected to be installed at banion and crestland on north Lamar and that's what this project is about. >> Mayor Adler: Councilmember Flannigan. >> Flannigan: I just want to agree with councilmember Casar, it's an interesting intersection, but at a slightly higher level, is there a process that transportation department or planning department is using to reevaluate these kind of old constructed interactions under the framework of connectivity, and is that something we should be thinking about at a broader level? Are there more opportunities than just morrow and Lamar to establish more full connectivity across our neighborhoods? >> Mayor Adler: Okay. My sense is, we're not deciding that question now, but we -- but councilmember pool is moving forward with the warrant request on this. So, that being said, it's been moved and seconded. Is there any objection to this? Those in favor of item 28 -- do you want me to hold off the vote?

[2:26:45 PM]

Those in favor of 28, please raise your hand. Those opposed? Unanimous on the dais with councilmember alter off. All right. It is 2:26. We're going to take a brief recess, or a recess, to go into executive session to discuss legal matters related to item 64. This is pursuant to section 551.047 of the government code. 64, discuss legal representation for the board of adjustment during consideration of interpretation appeals. So we will now, without objection, go into executive session. It is 2:27. Then we'll be back out. [Executive session]

[3:48:41 PM]

>> Mayor Adler: Council, we have a quorum. In closed session we discussed legal matters related to item 64. It is 3:48. P.M. Here. Back on September 20th, our city council meeting. So as I look at the things showing up on the agenda, item number 64 we've now dispensed with so that one can come off. 81 we're going to have to consider, 89 and 90 we're going to have to consider. We have three public hearings we can consider at 4:00 and no earlier than 4:00, but looks like we're going to postpone 92 and 93. Items, we have people here to speak on them or signed up to speak on them and if they wanted to

speak, I would give them a chance to do that on 92 and 93. And then we have -- that's all that we have. All right? So 64 has been taken care of. We can take up now 81, 89 and 90 and at 4:00 we'll postpone and -- those other matters. Let's do 81. >> Mayor and council, item 81, c14-2018-0068 known as the James Casey medical located at 4319 James Casey street. The request is from lo-v-np to go-v-np. Recommended approval -- the planning commission recommended approval but

[3:50:43 PM]

added an additional conditional overlay. There's a Boeing 737 passing over St. Elmo school. [Laughter] Looks like a southwest flight to me. We've never seen that before. We just noticed it a little bit ago. There is -- I think the issue is councilmember Flannigan would like to discuss the overlay on this property and his staff has prepared an exhibit we'll put up next. >> Mayor Adler: You pulled this, Mr. Flannigan. >> Flannigan: Yes, I brought this up on Tuesday and handed out this diagram which shows the co only affects the back of the property. It's those two intercutouts. Even then at most we're restricting a couple of feet, but for that very small corner in the back, and I think this is an opportunity to let our compatibility rules work. I brought it up on Tuesday so you would have time to contemplate it. I don't know that it requires a long, deliberative conversation. If anybody wants to say why they think the C.O. Is important, I'll move to amend. >> Mayor Adler: Okay. Is there anything that the C.O. Does given our compatibility? >> As councilmember Flannigan said we looked at the exhibit and agree. It would restrict the height on those two interior, 45 to 50 and 50 plus one, the height would be restricted to 45, whereas could go between 45 and 50 and up to 50 for that tiny portion. I would agree that the C.O. Restricts the height. >> Flannigan: It only goes

[3:52:44 PM]

up at most five feet. >> Because the tiny portion, you wouldn't even get to the plus one. >> Pool: Mayor? >> Mayor Adler: Yes, councilmember pool. >> Pool: I was looking at this with my staff and it was pointed out that the conditional overlay may be unnecessary because the portion it could go on is so small that it would be useless to developers. So it's kind of a Knicks on that one. We could grant it, if we don't it probably won't go up higher. >> It won't because the applicant as agreed to the -- >> Mayor Adler: Do you want to make the motion to remove the co? >> Flannigan: I move to approve this case with removing these -- >> Recommended by staff. >> Flannigan: Yeah, staff recommendation. >> All three readings. >> Flannigan: On all three readings. >> Mayor Adler: Closing the public hearing. Is there a second to the motion? Councilmember Renteria seconds. Any discussion? Take a vote, those in favor please raise your hand. Those opposed? It's unanimous on the dais with councilmember alter off. 89, 90. >> 89, npa-2018-0026.02 for the property at 11 and 601 east Powell and this would change the future land use map from neighborhood mix used to multi-family. This case was approved on first reading and the public hearing has been left open. 90, c14-2018-0024 known as Powell lane apartments, located at the same address. It is to change the zoning to mf-4 from lo-mu-np and change it to mf-4-np.

[3:54:44 PM]

Approved by city council on first reading only the public hearing left open. I believe councilmember Casar would like to make a few statements. We did our presentation at first reading so unless the council needs anything else, I'll turn it over. >> Mayor Adler: Thank you. We have some people signed up to speak on this. We'll begin with the applicant. Five minutes. >> Mayor, a member of the neighborhood was here and asked me to inform council the contact team has taken another vote on the case and still do not support it. >> Mayor Adler: And what? >> They still do not support the case. >> Mayor Adler: I'm going to call up 89 and 90 at the same time. You have time donated from Hamilton Ross. Is Hamilton Ross here? Okay. Five minutes plus two minutes so you have seven minutes. >> Good afternoon, mayor, mayor pro tem, councilmembers, city manager. I'm Alice Glasco. What I'll do today is just give an update of what has changed since first reading and today. And just briefly, the site is located on east Powell lane and east Wansley drive. I-35, to the southeast Anderson lane and west north Lamar boulevard. The property is approximately 8.1 acres and the current zoning is lo-lr mixed use. And the maximum density allowed under the current zoning is 220 units. With 220 units, we would build to all efficiency units and that would not include one bedroom, two bedrooms, et cetera. However, with the zoning to multi-family 4, we can -- we can build 258 units, which is an additional 38 units between what we can do under

[3:56:45 PM]

current zoning and the mf-4. The increase in density based on what we can build today, it would be an increase in 38 units. When we were here on first reading some of you asked if we would consider having some three-bedroom units and would like to say yes, our unit mix will accommodate some three-bedroom units so we'll have at a minimum three units will be three-bedroom units. We'll have some efficiencies, one bedroom, two bedroom and some three-bedroom units. We have some community benefit to share with you. The developer, jcr residential, LLC, is going to be partnering with the housing authority of Austin. And with this partnership which allows for tax credits to be used to allow the development to be affordable, the units will be 85% of the units will be affordable at 60% mfi. And the affordability is going to be proportionate across all unit types. Some of the community benefits are the developer will donate \$125,000 to the Austin parks foundation that will be used for park improvements and park -- playground equipment that is needed in the park for the Georgian acres park and the applicant is willing to do that after council action. I would I would like to indicate that the applicant will do some outreach to the community to give the community residents an opportunity to apply for the new housing. That will be consistent with the fair housing guidelines. By doing an outreach, we will be in compliance with the fair housing regulations so we're not in violation of that. The developer will provide a



[3:58:49 PM]

15-foot wide trail easement which will connect residents from south drive to Powell lane. The developer will construct sidewalks, as required by the neighborhood analysis, which will require the developer to do off-site improvements, include sidewalks from the frontage road, on west Powell lane, and east onesley drive, all the way to the west, that terminates at Georgian drive. It's a major improvement. Additionally, some of the programs that will be provided to the residents include health and wellness, financial literacy, computer and job training, and children's programs. Council, that concludes my presentation. I'll be glad to answer any questions you might have. >> Mayor Adler: Thank you very much. Is Lisa here? >> Mayor Adler: You have three minutes. >> I'm Lisa, I live in the south part of Georgian acres in the wood primary area. And I'm here to urge you not to concentrate poverty. [ Laughing ] This area is about 95% rental. The median income is half the median for the city, so that's the median, half of us are lower than that. Over 90% of the students in the school are economically disadvantaged. Three-quarters of them are english-language learners. There's no grocery. There's basically no jobs.

[4:00:50 PM]

When we were doing our neighborhood planning, that's our neighborhood character. That is the character of this place. And of course we don't want to preserve that. That was really important. It's like, this place has to change. But one of the other rules is the people get to stay. The only way to make that work is you have to add density. We have a really aggressive future land use map to add housing in this area, as well as along north Lamar, but it's all marked out as mixed use. You can't make anybody do mixed use on any particular piece of land, but you hope if you throw enough of it out there, some of it will come through. This has taken up the last big chunk of land. Even within the context of, okay, we're going to do housing, it's the same low-rise housing people were building 35 years ago. It'll be shiny and new now, but we haven't changed anything. And weirdly, by subsidizing the low-income residents, that hasn't changed anything, either. There's nothing the matter with apartments or low-income people, that's who we are. But everybody lacks the same things. And that makes it really hard for the whole area. So to get any kind of mix of residents, of incomes -- they started out talking about nurses and teachers, and single people. Nobody will raise a family here until we get the schools up. If you're anybody, you're going to do whatever you can to get your kid into a stronger school. Weirdly what works better for us is more nonsubsidized apartments. And I think we're in a position -- haca, there's a housing project around the corner. This is one of the areas where the apartments take vouchers. We've got a ton of those folks

[4:02:50 PM]

in. There's some logic for them to pull in these benefits whichever way this development goes. We've already told them they will be our neighbors, whichever way this development goes, we will pull them in. I'm like the stone soup person. So it's a weird request, and the think councilmember Casar has a few other things to throw into the mix. Everything we know, it's a local company. They're super reputable. I'd love to have them build something, but not the thing they're proposing here. Thank you. >>

Flannigan: I just wanted to thank you for your testimony. I just wanted to thank you because sometimes folks oppose zoning cases and they don't do it considering the value of renters. They often communicate the lack of value in renters. I wanted to thank you for acknowledging that that wasn't your perspective.

>> Mayor Adler: Greg, do you want to address us? Greg, councilmember Casar moves passage of 8990, all three readings, closing the public hearing. Is there a second to that? Councilmember Renteria seconds that. Discussion? >> Casar: Mayor, I do want to address it briefly because I think there is -- you know, I think she did describe, and in the conversation I had with councilmember Houston, does describe some of the intentions. I did want to put some of my thinking out there. I think my staff may have three slides of mine just to bring back the UT gentrification map. So as we talked about on Tuesday, you know, I think we need to be planning for the future. And I think that there already

[4:04:52 PM]

is increasing income diversity in the neighborhood, but that's going to start happening at a much more accelerated rate. Planning ahead for that is really important. And you can see on the left the zoning case that we're talking about. It's in that stage one of gentrification area. On the next slide, evaluations in the neighborhood. So, from 2014 to 2018, this is just what my staff pulled from tcad. You saw over five times increase in land valuation in this area. And on the land that we're looking at at the zoning case, you've seen almost a tripling of the land value that we're looking at in the zoning case today. So there's clearly a market push. And gentrification already beginning to occur. But at the same time, as they pointed out, it is an overwhelmingly low-income area. So if we go to the next slide, I think that something this council has actually been really dedicated to, but also aid and the transit authority, is that we can't stop -- we can't not invest in uninvested areas just because we don't want the area to gentrify. We have to invest because the point is we want to improve the quality of life for folks. And so the long blue line running horizontally across the screen is a sidewalk project that this council approved early on as a 10-1 council. The thick line on the left side is north Lamar boulevard where the voters approved bonds and we're going to be spending tens of millions of dollars to make that street safer. The north Lamar transit center across the street, the cap metro board has talked about that and applied for grant funding to revitalize that. The Orange site is where the apartments are. And we've got, if this project is approved, sidewalks that will be going on either side of it. Just south of it is where aid

[4:06:52 PM]

will be building the new Ta brown elementary school, after the last one, out of some, you know, had to be shut down because it wasn't kept up enough to be safe. Now they're going to have a brand new

elementary school so the kids that are currently in portables will have a new school. Across the street is the park, which is council-approved \$500,000. There's still a funding gap to completing the plans for that park. And the \$125,000 that's been committed up front from this developer will help get us really close to closing that funding gap. So again, I think the city's actions in this area in the past have shown under-investment. I think our council -- because of community organizing as well -- is putting more investment in this historically under-invested area that could unintentionally start driving even more gentrification as we improve the quality of life through investments. That's why in these gentrifying areas it makes sense for us to be both -- not neglecting the area, not furthering neglect, investing as a city alongside other government agencies, but planning ahead by having locked in affordable housing, because so much of the affordable housing here is currently unsubsidized and may not remain. Hopefully with other investments, we can preserve more of the existing affordable housing. But this brand new affordable housing, in partnership with haca, makes good sense. And the fact that we're getting upfront money for the neighborhood park in a pool that might be open in the Summers to teach all kids in the neighborhood how to swim and those sorts of things are a good trade for what's the equivalent of approving 38 more units on a vacant site. But in the spirit of continuing to make sure that we're not just concentrating poverty here, but instead bringing benefits and locking in affordable housing, some councilmembers here have been very supportive. The last slide is a resolution

[4:08:54 PM]

that we'll be bringing forward for the next council meeting. We'll keep on working with the community to add ideas to this. But there is vacant land right next to this zoning case, two small lots, one owned by central health and one owned by the city. There's no plans on central health's part or the city's part to do anything with that land. It's vacant. Given the location of this potential haca property I want to bring forward a resolution. It's going to be posted tomorrow, to start thinking about how we bring more benefits that would serve the future residents of the housing authority property as well as residents across the neighborhood. The housing authority has stepped up and said they are interested in participating in this. There's ways that we can continue addressing this real challenge I think we all face, which is how do we mitigate, buffer, and slow gentrification while not stray away from investing in under-invested areas. This is a hope that we can do both and see if we can do a lease with haca or central health to bring childcare or affordable homeownership or community gathering space or youth programming on a piece of property where we have no plans right next-door to somewhere that will have over 200 affordable units. And then the last of it was helpful, what the applicant mentioned, which is going and reaching out when these apartments come up for lease to nearby folks who may want to move into new housing who might be struggling in substandard housing, with a landlord that isn't keeping things up, have the opportunity to stay in the neighborhood, be in a new apartment with rent that won't be as unpredictable as we're seeing right now in the neighborhood. So I appreciate the neighborhood's concerns and the conversations we had. I think it's made this project much better. The last thing I'll point out is while we did get new three bedroom units as a part of in this conversation, somewhere they were willing to add even more multi-bedroom units but the

[4:10:55 PM]

parking requirements on multi-bedroom apartment units bumped us into a space constraint. So there's nothing -- I've asked the staff. There's nothing we can do in the zoning case to address that. But I'll see if at later stages, before this goes to site plan, if there's anything we can do. They're willing to do more affordable multi-bedroom units, but they just can't park all of them. And that seems to me to be a shortcoming, but not one that we can address here today. Happy to answer any questions. >> Mayor Adler: I'm going to support this, councilmember Casar. And this is -- this case really points out the difficulty in being able to fight gentrification and being able to push back. We -- don't want to continue concentrate poverty. We don't want to add more of the same to areas that are already disadvantaged areas. At some point, unfortunately, and if you watch the gentrification maps we've seen, it's going to hit this area as it's hit other areas around town, and prices are going to go up. If we wait until the prices go up to try to plant long-term affordability, it will already be too late because it will already be too expensive to really do things. The one difference I see between what is there and what this would be is that this is a project that would be ensuring affordability into the future. And what's there now does not do that. I look at what's happened just east of I-35, closer to downtown, and I wish the city had done more projects like this ten years ago there when it was still affordable and it could still happen. Because while it would have

[4:12:56 PM]

gentrified all around those housing opportunities, those housing opportunities would now be there. And they're not. And at this point, it's very expensive to go back and try to deal with it. I appreciate the map that you gave us, as well as the prices going up over time. And I'm going to support this project. Further discussion? Ms. Houston. >> Houston: Thank you, mayor. I've got a couple of questions for staff. It may be in the packet and I didn't see it. Is there an educational impact study in here, a statement? >> 268 units, let me flip to the backup and I'll check. I don't know if that met the threshold. >> Houston: Okay. Whether it meets the threshold or not, what schools do these kids track to? >> I mentioned the new elementary school. >> Houston: Yeah, but that's going to be built. I'm talking about now. The middle school and the high school. >> Let me look here real quick. >> Houston: I don't know. >> So the -- we do have an Eis. I'm looking for the schools to give the names. Webb is the elementary school. Sorry, Webb primary elementary, Webb is the middle school and Lanier is the high school. And we do have the educational impact statement on pages 19-21 of the backup for the zoning case. I have it here. >> Houston: Thank you. I couldn't find it. You know, when you're doing these things at 4:30 in the morning, sometimes they just slide around on the bed. So I knew you could find it quicker than I could. And then I know that the transit

[4:14:59 PM]

station is on Lamar? >> Yes. >> Houston: How far is that walking distance to get to the transit station? >> To the main transit center? >> Houston: I don't think there's a bus route that goes. >> East-west? I would have to scale it off. The scale is one -- >> Houston: While you're looking for that, I understand what the neighbors are saying. The same thing happens in many parts of the city, but especially in my district, where we continue to put affordable housing at a low median family income, but there are no amenities that people can get to. And there's always long distances. We've lost many of our transit routes, so people can't catch the bus like they did before to get to the HEB or the health clinic. So I have some compassion for the neighborhood when they're saying, thank you for your help, but we need a different kind of help now. So tell me about how far it takes to walk to the . . . >> The transit center is off the zoning map I have, but I would guess it would be around a quarter mile, if I were guessing. I'd have to find a bigger map. >> Houston: Maybe I can ask one of the folks that live in the area. Thank you, ma'am. Can you tell me how long it takes to walk to the . . . >> You possibly could ask councilmember kitchen. It's not that far. It's about half a mile, but the trick is you can't get across the street. There's eight lanes of north Lamar with no signal. So to walk and not go across the street, it's about a mile. >> Houston: Thank you. >> Mayor Adler: Councilmember kitchen. >> Kitchen: I just want to say

[4:16:59 PM]

that I think -- well, there's more information that we need to talk to cap metro about with regard to that transit center. But there are issues related to access to that transit center of which cap metro is aware. It doesn't mean that it's going to continue. I mean, that is something that we've had some discussions about what to do about. And so I wouldn't say that that is a situation that's always going to be that way. >> Mayor Adler: Councilmember pool. >> Pool: I just wanted to check and see if the agreements that were mentioned in here, if they had been received. They're not in the backup. Thank you. >> Mayor Adler: With haca, with the housing authority? >> A lot of those items that were discussed could not legally be included in a city zoning ordinance because of state law, so that is the reason they're not in backup. >> Pool: Thank you. >> Mayor Adler: It's been moved and seconded. Further discussion? Those in favor, please raise your hand. Those opposed? Ms. Houston voting no, the others voting aye. Councilmembers alter and Garza are off the dais. Those two pass. That gets us to 91, 92, and 93. We have no alcohol, item number 91. My record shows no public speakers for 91. Is anyone here to speak on it? No? Does someone want to move passage of item number 91? Mr. Flannigan moves passage, Ms. Houston seconds that. Any discussion? Those in favor, please raise your hands. Those opposed? It's unanimous on the dais, councilmembers Garza and alter off. That gets us to items 92 and 93.

[4:19:03 PM]

I think that we're going to be postponing or considering postponing item number 92 to October 18th. One person signed up to speak on this, Mr. Gus peña. Are you here? He's not here. Is there a motion to postpone this item to October 18th? Ms. Houston makes a motion. Mr. Renteria seconds it. Any discussion? Those in favor raise your hands. Those opposed? Unanimous on the dais, councilmembers

Garza and alter off. That gets us to item number 93. We have two people. And by the way, that last one was to close the public hearing as well. Item number 93, we have two people here to speak. This item's going to get postponed. Is there a motion to postpone this item until November 1st? Mr. Renteria makes that motion. Is there a second? Councilmember pool seconds it, thank you. Is Eric fall here? And Elizabeth cumberly. Do you want to speak then or now? Speak now? Then. Okay. Then we'll let you both speak then. It's been moved and seconded to postpone this until November 1st of 2018. Those in favor, please raise your hand. Those opposed? Unanimous on the dais, with councilmembers Garza and alter off. Thank you for coming down, we'll see you then. Councilmembers, I think that is everything that is on our agenda with the exception of music, which I think is the men's choir tonight, phenomenal music. I urge everyone to hang around for that. That will start at 5:30. And then we have proclamations. Does anyone want to say anything

[4:21:04 PM]

before we adjourn the meeting? >> Houston: I think this is a first. We might have the clerk check the record, but I think this is the first that we've gotten out before 4:30 in the afternoon, not the morning, but 4:30 in the afternoon. >> Mayor Adler: It's not actually the first, but it is rare. It's not our first, but it is rare. And I know that because there have been a couple occasions where I've been the only one here for music. That's why I wanted to make the pitch. That said, it is 4:20, and this meeting is adjourned.

[5:06:38 PM]

♪ Music playing ♪] [Chorus singing]

[5:31:06 PM]

>> Mayor Adler: You know, we, in Austin here, obviously, we're the live music capital of the world, and I think we're the only city where, virtually, every day that we have a city council meeting, we break it up with music at 5:30. Most of our council meetings go well past 5:30, and it's important, given the vigorousness with which people will debate on this dais, actually separating everybody at 5:30 and bringing a little must have been, and sometimes I'm convinced that we would never actually have people come back after the break -- [laughter] -- If they didn't have music to kind of calm their souls. I really appreciate you guys being here, and if our meeting ended today at 4:30 because you're here, you guys are going to be invited back many more times to make that happen. But it is a really special part of our meetings. We try to take the sounds of music and impress it into the walls of this room so that we remember, always, what it is that's special about this place so that we work ever harder to make sure that we always preserve it. So here we are, 5:30, and it is time for music at the city council meeting.

There are some people that religiously tune in at 5:30 for music. And joining us today is the capital city men's chorus. The capital city men's chorus originated in 1989, inspired by the names project AIDS quilt

[5:33:07 PM]

event, the capital city men's chorus performed in Carnegie hall, at the paramount theater, at the long center, at the bass concert hall, venues all over Austin, Houston, Fort Worth, and Montreal. Enough of those minor leagues, you've made it to the big leagues. They're performed at events such as governor Ann Richards inauguration, the show, show dependent, and on television, CC, the men's chorus, 30th anniversary, marks the longest operating men's chorus in central Texas. Proud of artistic excellence while ever striving toward its mission. Gay men and their allies raising their voices in song to change minds, perform lives, and build community. Please join me in welcoming capital city men's chorus.

[Applause] [♪ Music playing ♪] [ Singing ]

[5:37:13 PM]

[Applause] >> Mayor Adler: That was great! Thank you. Thank you very much. So if people out here or people that are watching wanted to know when you were doing gigs around town, how would they find you? Do you have a website? >> We do. Ccmc austin.org is our website. We're also on Facebook. >> Mayor Adler: Okay. And when is the next opportunity for folks to be able to hear these guys sing? >> This weekend we have our 30th retrospective anniversary concert this weekend, over at the raulens theater at the long center, we have a show 7:30 Saturday night, then 4 o'clock Sunday afternoon. >> Mayor Adler: We really appreciate the guys that braved the late afternoon here, recognizing that the whole chorus is going to be, I guess, rehearsing for this weekend tonight. How many men strong are you when you're performing this weekend? >> This is about a third of us, so we'll have about 70 going on stage this weekend. We have about 85 members, 70 going on stage. >> Mayor Adler: Very exciting. All right. Well, I have a 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, local favorites, and newcomers alike, and we are pleased to showcase and support our local artists, now, therefore, I, Steve Adler, mayor of the live music capital, on behalf of my colleagues on the city council, several of whom are here today, do hereby proclaim September 20th of the year 2018

[5:39:15 PM]

as capital city men's chorus day in Austin, Texas. Thank you, guys, and congratulations. [Applause]  
[Applause]

[5:42:44 PM]

>> Mayor Adler: Everybody should come on down. We ready? So I have a proclamation that we're going to give to Heather Hardeman here, who is the founder of the dyslexia parent network, but before I read the proclamation, I just want to say, again, as I have in prior years, that this one is personal to me. Our -- Diane and I, our number two daughter is dyslexic, and incredibly successful advertising executive right now, but she and her peers with dyslexia are some of the most creative and entrepreneurial and successful and just clever people that I know. And it's always really exciting to me when we do this

[5:44:47 PM]

proclamation to have some folks come and be with us, and this is a good day for all of us. So I have a proclamation to read. Be it known that whereas dyslexia occurs on a continuum of severity affecting up to 20% of the population, according to the national institutes of health; and whereas the city of Austin honors the dyslexia parent network, the friends of dyslexia, decoding dyslexia, dyslexia center of Austin, and all organizations that provide services for learners who struggle with dyslexia and associated learning difficulties; these nonprofit organizations render support to families experiencing significant literacy issues as a result of dyslexia, a specific learning disability that is neurological in origin and is characterized by difficulties with accurate or fluid word recognition and by poor spelling and decoding abilities; and whereas it is a local goal to raise awareness and understanding of dyslexia within the Austin community, to seek support for dyslexia services, and to ensure that individuals with dyslexia are accurately identified and are provided with appropriate services; now, therefore, I, Steve Adler, mayor of the city of Austin, Texas, together with my colleagues on the council and councilmember Renteria, do hereby proclaim October of the year 2018 as dyslexia awareness month in Austin, Texas. Congratulations. [Applause] Councilmember Renteria. >> Renteria: I just want to let the audience here and the city of Austin, I also grew up with

[5:46:47 PM]

dyslexia. It was very difficult for me. I had to do a lot of repetition, reading, listening to headsets, but I didn't let that hold me back. And I know that some of my children also have dyslexia, and they're excellent readers. They just love reading. They love their math. They're really creative. So, you know, I just want to let people know that, you know, don't let none of this hold you back. There is all kinds of possibilities out there, and opportunities, and I'm one. I had a career with IBM, 34 years with them. So do not give up hope. And young people, make sure that y'all keep on reading. Repetition, and you will be successful in life. [Applause] >> Thank you so much. Thank you so much for having us again. I think this is our group, their fifth year, although dyslexia has been represented here before for the proclamation,



recognizing October as dyslexia awareness month. My name is Heather Hardeman, and I'm with the dyslexia parent network. I have two dyslexic sons at in middle school. We were lucky they were both identified in first grade, which is a great time, the earlier the better for intervention. But our group as dyslexia parent network is really to spread awareness. As you can see, it's very common. As many as one in five people are identified with dyslexia, and it also runs on a spectrum, and presents itself different in different people. So different things work for different students in different types of learners. So not one size fits all with dyslexia, so there's a whole lot to learn with it. A few of the groups that are here with us and have been represented in the past, the Austin area branch of the international dyslexia association, decoding dyslexia, the Texas chapter,

[5:48:50 PM]

dyslexia center of Austin, learning ally, book share, and there's also a brand new nonprofit that is being developed right now called impact dyslexia. We have a few people who are going to make brief statements that I'd like to have up next to share their thoughts on dyslexia as well. >> Thank you, Heather, and mayor Adler. My name is Paula fercaso, I'm the executive director of impact dyslexia, the start-up that Heather just mentioned. And one of our aims is to make sure that everyone in every community is identified. Learning the signs of dyslexia and being aware of the trait is really essential to receiving the appropriate accommodations and being taught to read in a way that works for the dyslexiaic mind. Minds that have the potential to be really creative, as we've heard testimony toward, and solve the complex problems that our world is facing now. And so making sure that these children and all the way through their educational careers receive the teaching that they need in order to learn is essential, and we're really pleased with the opportunity to increase the awareness of the trait and solutions and support that are available to meet it. Thank you. [Applause] >> Hi there. I'm Kelly omullen. I'm proud parent of two children with dyslexia, one who is now a junior in high school and discovered that she is an amazing writer, and another who's a freshman in high school and I'm having to actually take books away at night because he won't stop reading and go to bed. I am also very proud to be a co-founder and co-executive director of dyslexia center of

[5:50:50 PM]

Austin. And we train teachers and individuals as certified academic language therapists and dyslexia therapists, which mean they have the highest level of training to work with our students and our kids in a way that speaks to their brain, and helping them become great readers and writers and mathematicians and follow their dreams. So I feel very messed to work with these incredible teachers and individuals as they pursue their professional goal. It is a two-year academic journey for the teachers, but having that level of certification and that level of training is so important to addressing the kids' needs. And we also work with and we're starting an after-school program because there is a large need across Austin for these kids to find the therapy and the interventions that they need so we feel blessed to be able to provide that and start that program as well. But thank you to the greater Austin

community because dyslexia is in the forefront of our minds, both as educators and parents, and it is making a big difference in our community. So thank you. [Applause]

[5:58:16 PM]

>> Mayor Adler: All right. If everybody could pay attention, we're going to do another proclamation. So, we have a proclamation for Austin museum day that I get to read and then give to Lana Gonzalez, who is the co-chair of the Austin museum partnership. Proclamation. Be it known that whereas, our city is home to a diverse group of museums and cultural institutions, providing outstanding exhibitions, education, and community resources in the area of art and culture and science and history; and whereas the annual Austin museum day event has provided a free day to discover Austin area museums for hundreds of thousands of residents and visitors over the past 21 years; and whereas museums and cultural institutions contribute greatly to Austin's quality of life and creative economy while supporting our city's dynamic cultural vitality, now, therefore, I, Steve Adler, mayor of the city of Austin, Texas, together with my colleagues on the council, do hereby proclaim September 23rd of the year 2018 as Austin museum day in Austin, Texas. Lana, you want to come get this? Congratulations. Maybe you want to say something. >> Thank you to mayor Adler and the city council. My name is Lana Gonzalez. I am the co-chair of the Austin museum partnership, and I'm joined here today by members from the carver museum, the bullock, and some of our wonderful member institutions. For the last 21 years, we've

[6:00:17 PM]

organized Austin museum day, and it is a day when many of our members open their doors for free and have special activities and performances and a great day for the community to discover all that our museums have to offer. This year it is Sunday, September 23rd. If you go to our website, [austinmuseumday.org](http://austinmuseumday.org), you can find out all the institutions that are participating this year and plan a day out at the museums. Thank you very much. [Applause] >> Houston: Good evening, everyone, my name is Ora Houston and it is my privilege to represent the good people of district 1. It is also my privilege in October to be here with the folks

[6:02:17 PM]

from the -- hold on just a minute -- Travis county justice planning group, as we talk about domestic violence awareness month. And it's a privilege for me because I stand before you as a survivor of domestic violence, and so it's always a good thing to know that you all are here. I have a proclamation to read. Be it known that whereas the problem of domestic violence is not confined to any group or groups of people, but crosses all economic, racial, gender, educational, religious, and societal barriers, and is sustained by societal indifference; and whereas effective prevention strategies have been developed

and young people are learning skills for healthy relationships; and whereas important partnerships of Austin public health, Austin police department, and municipal courts help eliminate domestic violence, promote justice for victims, enhance community safety, and improve the overall health of our citizens; and whereas only a coordinated community effort can improve the systemic response to domestic violence and decrease its prevalence in the future. Domestic violence awareness month provides an excellent opportunity for citizens to learn more about preventing domestic violence, and we urge citizens to actively participate in scheduled activities by the austin/travis county family violence task force, the safe alliance and other community organizations and let us have the strength, the courage, and the resolve to stand up and speak out against domestic violence, and let us come together to eliminate violence from our community and promote safe and healthy relationships;

[6:04:18 PM]

now, therefore, on behalf of mayor Steve Adler and my colleagues, councilmember Renteria and the rest of the city council, we proclaim October 2018 as domestic violence awareness month, and accepting this proclamation is kirsha -- I'm not ever going to get it right. >> Kirsha haverlah. >> Houston: There you go. >> It's great to be here. Thank you so much, councilmember Houston. Thank you, mayor Adler. Thank you, councilmember Renteria. My name is kirsha haverlah and I'm the chair of the austin/travis county family violence task force and it's my honor to be here with my esteemed colleagues from Austin police department victim services and the crash unit, as well as the safe alliance. I'd like to have Serena come up here and mention something about an event we have coming up for October, which is domestic violence awareness month. >> In recognition of the national domestic violence recognition month, we'd like to invite you to Laurie Wright stand for safe families, it will be taking place on October 4th, 2018, between 5:30 and 7:30 P.M. It will be held at the Texas rowing center. So we'd like to invite you to bring your family and friends and celebrate with us and learn more about domestic violence awareness month. Thank you. [Applause] >> Good evening. I direct the expect respect program at the safe alliance. We're here tonight to recognize victims and survivors of all forms of violence and abuse. These experiences affect our lives and our entire community, contributing to health and mental health problems, and keeping our children from reaching their full potential.

[6:06:19 PM]

Dating, sexual and domestic violence, are preventable. We are working together to change the attitudes and behaviors that perpetuate this problem. On behalf of the task force and the safe alliance, thank you for helping to keep Austin safe. [Applause]